

and for other purposes; to the Committee on Ways and Means.

By Mr. CROSSER:

H. R. 5561. A bill to create an independent Air Safety Board; to the Committee on Interstate and Foreign Commerce.

By Mr. DAVIES of New York:

H. R. 5562. A bill to amend the Agricultural Act of 1948 and the Agricultural Adjustment Act of 1938, as amended, to provide price support for Angora-rabbit wool; to the Committee on Agriculture.

By Mr. PRICE:

H. R. 5563. A bill to amend Public Law 49, Seventy-seventh Congress, for the purpose of preventing loss of life, impairment of health, and endangerment to the safety of coal mine employees; to the Committee on Education and Labor.

By Mr. CELLER:

H. J. Res. 295. Joint resolution to erect a memorial to the memory of Mohandas K. Gandhi; to the Committee on House Administration.

By Mr. LODGE:

H. Con. Res. 101. Concurrent resolution relating to refund of premiums on national service life insurance policies; to the Committee on Veterans' Affairs.

#### MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California memorializing the President and Congress of the United States relative to the construction of navigable channels on the Sacramento and Feather Rivers; to the Committee on Public Works.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOLLING:

H. R. 5564. A bill for the relief of Wilcox Electric Co., Inc.; to the Committee on the Judiciary.

By Mr. KEOGH:

H. R. 5565. A bill for the relief of the estate of Eustadio D. Papavasiliopulo; to the Committee on the Judiciary.

By Mr. REED of New York:

H. R. 5566. A bill for the relief of Dr. Agostino DeLisi; to the Committee on the Judiciary.

#### PETITIONS, ETC.

Under clause 1, of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1268. By Mr. McCULLOCH: Petition of Mrs. Ethel Webb, and 26 others, urging enactment of legislation prohibiting the transportation of alcoholic beverage advertising in interstate commerce and the broadcasting of alcoholic beverage advertising over the radio; to the Committee on Interstate and Foreign Commerce.

1269. By Mr. CANFIELD: Resolution of Amalgamated Local 300, Engineers and Sanitary Employees Association, UAW-CIO, urging governmental action to stop the current economic recession; to the Committee on Banking and Currency.

1270. By Mr. RICH: Petition of Rural Letter Carriers of Potter-McKean Counties, Pa., in opposition to H. R. 4772, providing a 40-hour week for rural carriers; to the Committee on Post Office and Civil Service.

1271. By Mr. MACK of Washington: Petition of Seattle Chapter, Associated General Contractors of America, regarding proposed Columbia Valley Authority legislation; to the Committee on Public Works.

1272. By the SPEAKER: Petition of Woodbury County Medical Society, Sioux City, Iowa, relative to being placed on record as being opposed to any form of compulsory health insurance or any system of political medicine designed for national bureaucratic control; to the Committee on Interstate and Foreign Commerce.

1273. Also, petition of Oakland County Dental Society, Pontiac, Mich., requesting Congress not to enact any legislation which will hamper that freedom such as current proposals for compulsory health insurance; to the Committee on Interstate and Foreign Commerce.

1274. Also, petition of Bishop Clarkson Memorial Hospital, Omaha, Neb., relative to expressing their opposition to compulsory health insurance, considering it a menace to the public health and an abuse of the individual freedom of choice; to the Committee on Interstate and Foreign Commerce.

1275. Also, petition of W. J. Shuman and others, Chambersburg, Pa., requesting passage of H. R. 2135 and 2136, known as the Townsend plan; to the Committee on Ways and Means.

## SENATE

MONDAY, JULY 11, 1949

(Legislative day of Thursday, June 2, 1949)

The Senate met, in executive session, at 12 o'clock meridian, on the expiration of the recess.

Rev. Alton Henley Glasure, pastor, Presbyterian Church, St. Petersburg, Fla., offered the following prayer:

O Lord God, we thank Thee for Thy mercies which are new every morning and fresh every evening. We praise Thee for Thy blessings which have been multiplied to us in rich abundance. As we thank Thee for blessings received we would thank Thee more for opportunities to serve. In these opportunities we beseech Thee to give Thy divine leadership to these Thy servants.

We confess before Thee our sins and pray for the gift of clear thinking, and that these Thy legislative laborers may be faithful stewards in the service of Thy eternal kingdom.

In the name of Jesus Christ our Lord. Amen.

#### THE JOURNAL

On request of Mr. LUCAS, and by unanimous consent, the reading of the Journal of the proceedings of Friday, July 8, 1949, was dispensed with.

#### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed a bill (H. R. 1689) to increase rates of compensation of the heads and assistant heads of executive departments and independent agencies, in which it requested the concurrence of the Senate.

#### ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1042. An act relating to the payment of fees, expenses, and costs of jurors; and

S. 1070. An act to establish a national housing objective and the policy to be followed in the attainment thereof, to provide Federal aid to assist slum-clearance projects and low-rent public housing projects initiated by local agencies, to provide for financial assistance by the Secretary of Agriculture for farm housing, and for other purposes.

#### CONFIRMATION OF NOMINATIONS IN THE ARMED SERVICES

Mr. TYDINGS. Mr. President, I report favorably from the Committee on Armed Services numerous routine promotions in the armed services of the United States. No objection has been heard to any of the nominations incorporated in this recommendation from any source, the report is unanimous, and I ask for the immediate consideration of the nominations.

The VICE PRESIDENT. Is there objection to the request of the Senator from Maryland? The Chair hears none, and, without objection, the nominations are confirmed, and the President will be immediately notified.

#### EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing two nominations, which nominating message was referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

#### EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. THOMAS of Utah, from the Committee on Labor and Public Welfare:

Paul W. Kabler and sundry other candidates for appointment and promotion in the Regular Corps of the Public Health Service.

#### CALL OF THE ROLL

Mr. LUCAS. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Aiken	Hunt	Myers
Anderson	Ives	Neely
Bricker	Jenner	O'Connor
Bridges	Johnson, Colo.	Reed
Cain	Johnston, S. C.	Robertson
Capehart	Kefauver	Russell
Chapman	Kerr	Saltonstall
Connally	Knowland	Smith, Maine
Cordon	Langer	Smith, N. J.
Donnell	Lodge	Sparkman
Dulles	Long	Stennis
Eaton	Lucas	Taft
Ferguson	McCarran	Taylor
Flanders	McCarthy	Thomas, Okla.
Frear	McClellan	Thomas, Utah
Fulbright	McFarland	Thye
George	McKellar	Tydings
Gillette	Malone	Vandenberg
Graham	Martin	Watkins
Green	Maybank	Wherry
Gurney	Miller	Wiley
Hayden	Millikin	Williams
Hendrickson	Morse	Withers
Hoey	Mundt	Young
Holland	Murray	
Humphrey		

Mr. MYERS. I announce that the Senator from Virginia [Mr. BYRD], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Illinois [Mr. DOUGLAS], the Senator from California [Mr. DOWNEY], the Senator from Alabama [Mr. HILL], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Florida [Mr. PEPPER] are detained on official business in meetings of committees of the Senate.

The Senator from Mississippi [Mr. EASTLAND], the Senator from Texas [Mr. JOHNSON], the Senator from West Virginia [Mr. KILGORE], and the Senator from Washington [Mr. MAGNUSON] are absent on public business.

The Senator from Louisiana [Mr. ELLENDER] is absent by leave of the Senate on official business, having been appointed an adviser to the delegation of the United States of America to the Second World Health Organization Assembly meeting at Rome, Italy.

The Senator from Rhode Island [Mr. McGRATH] is absent by leave of the Senate.

The Senator from Connecticut [Mr. McMAHON] is absent on official business, presiding at a meeting of the Joint Committee on Atomic Energy in connection with an investigation of the affairs of the Atomic Energy Commission.

Mr. SALTONSTALL. I announce that the Senator from Connecticut [Mr. BALDWIN] and the Senator from Kansas [Mr. SCHOEPP] are absent by leave of the Senate.

The Senator from New Hampshire [Mr. TOBEY] is absent on official business.

The Senator from Iowa [Mr. HICKENLOOPER] is in attendance at a meeting of the Joint Committee on Atomic Energy.

The Senator from Maine [Mr. BREWSTER] and the Senator from Nebraska [Mr. BUTLER] are detained on official business.

By order of the Senate, the following announcement is made:

The members of the Joint Committee on Atomic Energy are in attendance at a meeting of the joint committee in connection with an investigation of the affairs of the Atomic Energy Commission.

The VICE PRESIDENT. A quorum is present.

#### TRANSACTION OF ROUTINE LEGISLATIVE BUSINESS

Mr. LUCAS. Mr. President, I ask unanimous consent that Senators may be permitted to introduce bills and joint resolutions, submit petitions and memorials, and incorporate editorials and other matters into the RECORD, without debate, as though we were in the morning hour.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

#### PRESIDENT'S MIDYEAR ECONOMIC REPORT (H. DOC. NO. 252)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying

report, referred to the Joint Committee on the Economic Report:

THE WHITE HOUSE,  
Washington, D. C., July 11, 1949.  
The Honorable the PRESIDENT OF THE SENATE.

The Honorable the SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIRS: I am presenting herewith a Mid-year Economic Report to the Congress. This is supplementary to the Economic Report of the President of January 7, 1949, and is transmitted in accordance with section 3 (b) of the Employment Act of 1946.

In preparing this report I have had the advice and assistance of the Council of Economic Advisers, members of the Cabinet, and heads of independent agencies.

Together with this report I am transmitting a report, the Economic Situation at Midyear 1949, prepared for me by the Council of Economic Advisers in accordance with section 4 (c) (2) of the Employment Act of 1946.

Respectfully,

HARRY S. TRUMAN.

#### EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

PROPOSED TRANSFER BY NAVY DEPARTMENT OF ALUMINUM PONTON BARGE TO GAME AND FIS: COMMISSION OF MARYLAND

A letter from the Acting Secretary of the Navy, reporting, pursuant to law, that the Game and Inland Fish Commission of the State of Maryland had requested the Navy Department to transfer an aluminum ponton barge for use by that commission in wild waterfowl restoration work along the Potomac River; to the Committee on Armed Services.

SPECIAL REPORT ON CONSTRUCTION-DIFFERENTIAL SUBSIDIES AND RELATED NATIONAL DEFENSE ALLOWANCES BY UNITED STATES MARITIME COMMISSION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a special report on construction-differential subsidies and related national defense allowances granted by the United States Maritime Commission (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

GAINFUL EMPLOYMENT OF CERTAIN DISABLED PERSONS

A letter from the Acting Administrator, Federal Security Agency, transmitting a draft of proposed legislation to assure the provision of all necessary services to prepare disabled persons for and establish them in remunerative employment, to provide for grants-in-aid to the States for adjustment training services for the blind, and for establishing employment opportunities for the severely disabled, to amend the Vocational Rehabilitation Act, as amended (U. S. C., 1946 ed., title 29, ch. 4), to amend the Randolph-Sheppard Act (U. S. C., 1946 ed., title 20, ch. 6A), and for other purposes (with an accompanying paper); to the Committee on Labor and Public Welfare.

#### PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted by the Sisterhood of Congregation Bikur Cholim, of Seattle, Wash., protesting against the enactment of

legislation providing any change in the present calendar; to the Committee on Foreign Relations.

A letter in the nature of a petition from H. S. Erskine, and sundry other persons, representatives of Veterans Village, Lubbock, Tex., relating to low-cost housing at Lubbock; to the Committee on Banking and Currency.

A resolution adopted by the city council of the city of Baton Rouge, La., favoring the enactment of Senate bill 1681, to prohibit the picketing of courts; to the Committee on the Judiciary.

A resolution adopted by Local 66, Architectural and Engineering Guild, International Federation of Technical Engineers, Architects, and Draftsmen's Unions, A. F. of L., of New York, N. Y., favoring the enactment of legislation providing compulsory insurance; to the Committee on Labor and Public Welfare.

A resolution adopted by the West Central District Dental Society, of Minnesota, protesting against the enactment of legislation providing compulsory health insurance; to the Committee on Labor and Public Welfare.

A letter in the nature of a petition from the Louisville (Ky.) Automobile Club, AAA, signed by Eugene Stuart, secretary manager, praying for the enactment of legislation to exclude the Mining City Dam from the Ohio Valley flood-control program; to the Committee on Public Works.

A telegram in the nature of a petition from the Alumni Association, United States Merchant Marine Cadet Corps, of New York, N. Y., signed by T. L. Kingsley, executive vice president, relating to appropriations for the Coast Guard Academy; ordered to lie on the table.

#### SCHOOL-AID PROGRAM—RESOLUTION OF LOWELL (MASS.) CITY COUNCIL

Mr. SALTONSTALL. Mr. President, in cooperation with my colleague, the junior Senator from Massachusetts [Mr. LODGE], I present for appropriate reference a resolution adopted by the City Council of Lowell, Mass., protesting against the enactment of the so-called Barden bill, being House bill 4643, relating to the school-aid program, and I ask unanimous consent that it may be printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Whereas a bill now pending before Congress, which was introduced by Representative BARDEN, and known as H. R. 4643, has been referred to the House Committee on Education and Labor; and

Whereas the bill provides for the use of taxpayers' money for a certain group and denies aid to other groups, this appears to be discriminatory and class legislation; and

Whereas we feel that with all peoples of the country sharing in tax assessments, and so forth, all should also share in any concessions to be granted by the Federal Government; and

Whereas we feel that grants and concessions already enjoyed by various educational groups should not be taken away, as they would be under the provisions of the pending Barden bill: Now, therefore, be it

Resolved, That the Lowell City Council, in regular meeting held on Tuesday, July 5, 1949, in adopting this resolution, go on record as opposed to this bill, and further to request United States Senators LEVERETT SALTONSTALL and HENRY CABOT LODGE, JR., and Representative EDITH NOURSE ROGERS to oppose the adoption of this discriminatory legislation.



## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GEORGE, from the Committee on Finance:

H. R. 195. A bill to assist States in collecting sales and use taxes on cigarettes; without amendment (Rept. No. 644);

H. R. 3905. A bill to amend section 3121 of the Internal Revenue Code; with amendments (Rept. No. 646); and

H. R. 5114. A bill to amend the Internal Revenue Code to permit the use of additional means, including stamp machines, for payment of tax on fermented malt liquors, provide for the establishment of brewery bottling house on brewery premises and for other purposes; without amendment (Rept. No. 645).

By Mr. McCARRAN, from the Committee on the Judiciary:

S. 1949. A bill to authorize the lease of the Federal correctional institution at Sandstone, Minn., to the State of Minnesota; without amendment (Rept. No. 641).

By Mr. O'CONOR, from the Committee on the Judiciary:

S. 2083. A bill to provide for the preparation of a plan for the celebration of the one hundredth anniversary of the building of the Soo Locks; without amendment (Rept. No. 642); and

S. J. Res. 103. Joint resolution designating June 14 of each year as Flag Day; without amendment (Rept. No. 643).

By Mr. FULBRIGHT, from the Committee on Banking and Currency:

S. 1871. A bill to amend the Reconstruction Finance Corporation Act to prohibit the employment of certain personnel of the Corporation by organizations receiving loans or other financial assistance therefrom; with an amendment (Rept. No. 647).

By Mr. TYDINGS, from the Committee on Armed Services:

S. 1803. A bill to authorize the attendance of the United States Marine Band at the Twenty-third Annual Convention of the Reserve Officers Association of the United States, to be held in Grand Rapids, Mich., July 27 through July 30, 1949; without amendment (Rept. No. 648);

S. 1834. A bill for the relief of the widow of Robert V. Holland; without amendment (Rept. No. 649);

S. 2192. A bill to authorize the adjustment of the lineal positions of certain officers of the naval service, and for other purposes; without amendment (Rept. No. 650);

H. R. 2418. A bill to authorize restocking, propagation, and conservation of game in the Eglin Field Reservation; without amendment (Rept. No. 651); and

H. R. 4646. A bill to authorize the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force to lend certain property to national veterans' organizations, and for other purposes; without amendment (Rept. No. 652).

By Mr. KEFAUVER, from the committee on Armed Services:

S. 1939. A bill to amend section 302 (c) of the Army and Air Force Vitalization and

Retirement Equalization Act of 1948; with amendments (Rept. No. 653).

#### COLLECTION OF SALES AND USE TAXES ON CIGARETTES—PERMISSION TO FILE MINORITY VIEWS

Mr. GEORGE subsequently said: Mr. President, earlier today I filed a report on House bill 195, to assist States in collecting sales and use taxes on cigarettes. At the time I neglected to ask permission for the distinguished senior Senator from Colorado [Mr. JOHNSON] and other Senators to file minority views. I now ask unanimous consent that they may have the privilege of filing minority views hereafter.

The VICE PRESIDENT. Without objection, it is so ordered.

#### REPORTS ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON of South Carolina, from the Joint Select Committee on the Disposition of Executive Papers, to which were referred for examination and recommendation two lists of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted reports thereon pursuant to law.

#### ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that he had presented to the President of the United States the following enrolled bills:

On July 9, 1949:

S. 113. An act for the relief of Helen Louise Oles;

S. 230. An act for the relief of Mrs. Sonia Kaye Johnston;

S. 322. An act for the relief of Mrs. Gertrude H. Westaway, legal guardian of Bobby Niles Johnston, a minor;

S. 623. An act for the relief of George Krinopolis;

S. 980. An act for the relief of Toshie Okutomi;

S. 1138. An act for the relief of John W. Crumacker, commander, United States Navy;

S. 1167. An act for the relief of the estate of Marion Miller;

S. 1168. An act to amend section 2680 of title 28, United States Code;

S. 1296. An act for the relief of Murphy & Wischmeyer;

S. 1359. An act to repeal the provisions of the Alaska Railroad Retirement Act of June 29, 1936, as amended, and sections 91 to 107 of the Canal Zone Code and to extend the benefits of the Civil Service Retirement Act of May 29, 1930, as amended, to officers and employees to whom such provisions are applicable; and

S. 1688. An act to provide for certain adjustments on the promotion list of the Medical Service Corps of the Regular Army.

On July 11, 1949:

S. 1042. An act relating to the payment of fees, expenses, and costs of jurors; and

S. 1070. An act to establish a national housing objective and the policy to be followed in the attainment thereof, to provide Federal aid to assist slum-clearance projects and low-rent public housing projects initiated by local agencies, to provide for financial assistance by the Secretary of Agriculture for farm housing, and for other purposes.

#### ADDITIONAL REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES RELATING TO CIVILIAN EMPLOYMENT IN EXECUTIVE BRANCH

Mr. BYRD. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit an additional report on civilian employment in the executive branch of the Federal Government during the month of May 1949, and, in accordance with the practice of several years' standing, I request that it be printed in the body of the RECORD as a part of my remarks, together with a statement by me.

There being no objection, the report and statement presented by Mr. BYRD were ordered to be printed in the RECORD, as follows:

#### FEDERAL PERSONNEL IN THE EXECUTIVE BRANCH APRIL–MAY 1949, AND PAY MARCH–APRIL 1949

Note with reference to personal-service expenditure figures: It should be noted that the latest expenditure figures for personal service shown in table I of this report are for the month of April, and that they are compared with personal-service expenditure figures for the month of March, whereas the latest employment figures covered in this report are for the month of May and are compared with the month of April. This lag in personal-service expenditure figures is necessary in order that actual expenditures may be reported.

(Figures in the following report are compiled from signed official personnel reports by the various agencies and departments of the Federal Government. Table I shows total personnel employed inside and outside continental United States, and pay, by agency. Table III shows personnel employed outside continental United States. Table IV gives by agency the industrial workers employed by the Federal Government. For purposes of comparison, figures for the previous month are shown in adjoining columns.)

#### PERSONNEL AND PAY SUMMARY

(See table I)

According to monthly personnel reports for May 1949 submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures:

	Civilian personnel in executive branch			Pay roll (In thousands of dollars) in executive branch		
	In May numbered—	In April numbered—	Increase (+) or decrease (—)	In April was—	In March was—	Increase (+) or decrease (—)
Total.....	2,120,019	2,110,529	+9,490	\$536,395	\$566,192	—\$29,797
1. Agencies exclusive of National Military Establishment.....	1,222,127	1,213,808	+8,319	312,401	326,428	—14,027
2. National Military Establishment.....	897,892	896,721	+1,171	223,994	239,764	—15,770
Within National Military Establishment:						
Office of the Secretary of Defense.....	1,522	1,479	+43	509	535	—26
Department of the Army.....	377,310	374,463	+2,847	89,700	94,732	—5,032
Department of the Air Force.....	167,289	164,870	+2,419	40,447	44,042	—3,595
Department of the Navy.....	351,771	355,909	—4,138	93,338	100,455	—7,117

Table I, on page 3, breaks down the above figures on employment and pay by agency.

Tables II, III, and IV break down the above employment figures to show the number outside continental United States, and the number in the so-called industrial categories. This further break-down in tables II, III, and IV does not include pay figures because pay-roll reports submitted to the committee by some agencies are inadequate for this purpose.

#### INSIDE CONTINENTAL UNITED STATES

(See table II)

Federal personnel within the United States increased 11,366 from the April total of 1,921,380 to the May total of 1,932,746.

Exclusive of the National Military Establishment there was an increase of 7,665 from the April total of 1,157,309 to the May total of 1,164,974.

Total civilian employment within the United States for the National Military Establishment for May was 767,772, an increase of 3,701 over the April total of 764,071.

The Office of the Secretary of Defense increased 43 from the April figure of 1,479 to the May figure of 1,522.

The Department of the Army civilian personnel within the United States increased 5,220 from the April figure of 307,856 to the May figure of 313,076.

The Department of the Air Force civilian personnel within the United States increased 2,037 from the April figure of 137,484 to the May figure of 139,521.

The Department of the Navy civilian personnel within the United States decreased 3,599 from the April figure of 317,252 to the May figure of 313,653.

#### OUTSIDE CONTINENTAL UNITED STATES

(See table III)

Outside continental United States Federal personnel decreased 1,876 from the

April total of 189,149 to the May total of 187,273.

An increase of 654 was reported by the departments and agencies other than the National Military Establishment from the April total of 56,499 to the May total of 57,153.

Total civilian employment outside continental United States for the National Military Establishment decreased 2,530 from the April total of 132,650 to the May figure of 130,120.

The Department of the Army reported a decrease in overseas civilian employment of 2,373 from the April figure of 66,607 to the May figure of 64,234.

The Department of the Air Force reported an increase in overseas civilian employment of 382 from the April figure of 27,386 to the May figure of 27,768.

The Department of the Navy reported a decrease in overseas civilian employment of 539 from the April figure of 38,657 to the May figure of 38,118.

#### INDUSTRIAL EMPLOYMENT

(See table IV)

Total industrial employment during the month of May increased 1,346 from the April total of 573,778 to the May total of 575,124.

The departments and agencies other than the National Military Establishment increased 1,106 from the April total of 19,217 to the May total of 20,323.

The National Military Establishment increased its total industrial employment 240 from the April figure of 554,561 to the May figure of 554,801.

The Department of the Army reported a net increase of 2,656 from the April figure of 210,676 to the May figure of 213,332. Inside continental United States Army industrial employment increased 4,770, while out-

side continental United States there was a decrease of 2,114.

The Department of the Air Force reported an increase of 1,627 industrial employees from the April figure of 99,318 to the May figure of 100,945. Of this increase in Air Force industrial employment 1,156 was inside continental United States and 471 was outside continental United States.

The Department of the Navy decreased its industrial employment 3,043 from the April figure of 244,567 to the May figure of 240,524.

The term "industrial employees," as used by the committee, refers to unskilled, semi-skilled, skilled, and supervisory employees paid by the Federal Government who are working on construction projects such as airfields and roads, and in shipyards and arsenals. It does not include maintenance and custodial employees.

#### EMPLOYEES OF FEDERAL AGENCIES EXCLUDED FROM COMPILATIONS OF THE JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES

Table V, carried on page 10 at the end of this report, shows personnel excluded by the Joint Committee on Reduction of Nonesential Federal Expenditures from its monthly compilations. The committee excludes the personnel of the Board of Governors of the Federal Reserve System and the personnel of the Office of the Comptroller of the Currency, Treasury Department, from its compilations because the personal-service expenditures in these two agencies are paid from assessments levied on banks for this purpose. The seamen and trainees on the rolls of the United States Maritime Commission have been excluded because during the war and immediate postwar period these seamen and trainees were regarded as being in a military or quasi-military status.

TABLE I.—Consolidated table of Federal personnel inside and outside continental United States employed by the executive agencies during May 1949, and comparison with April 1949; and pay for April 1949 and comparison with March 1949

Department or agency	Pay (in thousands of dollars)				Personnel			
	March	April	Increase	Decrease	April	May	Increase	Decrease
Executive departments (except National Military Establishment):								
Agriculture.....	20,511	18,648	-----	1,863	78,933	82,347	3,414	-----
Commerce.....	12,882	12,656	-----	226	43,584	45,443	1,859	-----
Interior.....	13,995	13,635	-----	360	51,860	54,021	2,161	-----
Justice.....	9,419	8,748	-----	671	26,030	26,041	11	-----
Labor.....	1,200	1,101	-----	99	3,552	3,589	37	-----
Post Office.....	124,948	124,575	-----	373	512,207	514,932	2,725	-----
State.....	5,650	6,017	367	-----	20,559	20,815	256	-----
Treasury.....	129,151	20,806	-----	2,345	92,137	91,017	-----	1,120
Executive Office of the President:								
White House Office.....	87	128	41	-----	230	230	-----	-----
Bureau of the Budget.....	269	235	-----	34	528	530	2	-----
Executive Mansion and Grounds.....	15	13	-----	2	65	71	6	-----
National Security Council.....	7	7	-----	-----	18	20	2	-----
National Security Resources Board.....	169	159	-----	10	373	348	-----	25
Council of Economic Advisers.....	23	21	-----	2	40	39	-----	1
Emergency war agencies: Office of Defense Transportation.....	12	12	-----	-----	28	12	-----	16
Postwar agencies:								
Displaced Persons Commission.....	64	75	11	-----	232	237	5	-----
Economic Cooperation Administration.....	977	1,197	220	-----	3,460	3,411	-----	49
Office of the Housing Expediter.....	1,688	1,613	-----	75	4,802	4,922	120	-----
Philippine Alien Property Administration.....	37	31	-----	6	122	99	-----	23
Philippine War Damage Commission.....	212	198	-----	14	959	988	29	-----
War Assets Administration.....	1,903	1,791	-----	112	3,845	3,702	-----	143
Independent agencies:								
American Battle Monuments Commission.....	17	20	3	-----	160	157	-----	3
Atomic Energy Commission.....	1,769	1,631	-----	138	4,628	4,627	-----	1
Civil Aeronautics Board.....	278	255	-----	23	679	679	-----	-----
Civil Service Commission.....	1,303	1,192	-----	111	4,177	4,164	-----	13
Export-Import Bank of Washington.....	60	55	-----	5	122	-----	-----	-----
Federal Communications Commission.....	529	484	-----	45	1,349	1,348	-----	1
Federal Deposit Insurance Corporation.....	407	371	-----	36	1,066	1,062	-----	4
Federal Mediation and Conciliation Service.....	201	186	-----	15	365	368	3	-----
Federal Power Commission.....	331	299	-----	32	797	794	-----	3
Federal Security Agency.....	9,876	9,201	-----	675	35,971	35,931	-----	40
Federal Trade Commission.....	280	281	1	-----	655	653	-----	2
Federal Works Agency.....	6,061	5,623	-----	438	23,356	23,546	190	-----
General Accounting Office.....	3,041	2,792	-----	249	9,433	9,344	-----	89
Government Printing Office.....	2,568	2,256	-----	312	7,039	7,020	-----	19
Housing and Home Finance Agency.....	13,737	3,549	-----	188	11,579	11,534	-----	45

<sup>1</sup> Revised on basis of later information.

<sup>2</sup> Exclusive of personnel and pay of the Central Intelligence Agency.

<sup>3</sup> Includes personnel and pay for Howard University and the Columbia Institute for the Deaf.



TABLE I.—Consolidated table of Federal personnel inside and outside continental United States employed by the executive agencies during May 1949, and comparison with April 1949; and pay for April 1949 and comparison with March 1949—Continued

Department or agency	Pay (in thousands of dollars)				Personnel			
	March	April	Increase	Decrease	April	May	Increase	Decrease
Independent agencies—Continued								
Indian Claims Commission.....	7	6		1	11	11		
Interstate Commerce Commission.....	882	806		76	2,211	2,195		16
Maritime Commission.....	1,917	1,847		70	6,459	6,318		141
National Advisory Committee for Aeronautics.....	2,275	2,115		160	6,857	6,939	82	
National Archives.....	127	116		11	382	379		3
National Capital Housing Authority.....	83	74		9	306	309	3	
National Capital Park and Planning Commission.....	8	6		2	19	20	1	
National Capital Sesquicentennial Commission.....	1	1			2	2		
National Gallery of Art.....	74	74			315	313		2
National Labor Relations Board.....	556	502		54	1,519	1,481		38
National Mediation Board.....	62	51		11	111	101		10
Panama Canal.....	4,079	3,568		511	22,666	22,459		207
Railroad Retirement Board.....	730	683		47	2,423	2,384		39
Reconstruction Finance Corporation.....	1,909	1,762		147	4,598	4,600	2	
Securities and Exchange Commission.....	496	444		52	1,147	1,133		14
Selective Service System.....	1,141	888		253	5,614	5,154		460
Smithsonian Institution.....	173	158		15	543	546	3	
Tariff Commission.....	108	103		5	240	238		2
Tax Court of the United States.....	53	70	17		123	124	1	
Tennessee Valley Authority.....	4,125	3,639		486	12,672	12,782	110	
Veterans' Administration.....	53,945	49,627		4,318	200,650	200,476		174
Total, excluding National Military Establishment.....	326,428	312,401	660	14,687	1,213,808	1,222,127	11,022	2,703
Net change, excluding National Military Establishment.....				14,027			8,319	
National Military Establishment:								
Office of the Secretary of Defense.....	535	509		26	1,479	1,522	43	
Department of the Army:								
Inside continental United States.....	80,286	76,211		4,075	307,856	313,076	5,220	
Outside continental United States.....	14,446	13,489		957	66,607	64,234		2,373
Department of the Air Force:								
Inside continental United States.....	37,906	35,103		2,803	137,484	139,521	2,037	
Outside continental United States.....	6,136	5,344		792	27,386	27,708	382	
Department of the Navy.....	100,455	93,338		7,117	355,909	351,771		4,138
Total, National Military Establishment.....	239,764	223,994		15,770	896,721	897,892	7,682	6,511
Net change, National Military Establishment.....				15,770			1,171	
Grand total, including National Military Establishment.....	566,192	536,395	660	30,457	2,110,529	2,120,019	18,704	9,214
Net change, including National Military Establishment.....				29,797			9,490	

<sup>1</sup> Revised on basis of later information.<sup>2</sup> Adjusted to eliminate WOC employees erroneously reported by the agency as expert consultants.

TABLE II.—Federal personnel inside continental United States employed by executive agencies during May 1949 and comparison with April 1949

Department or agency	April	May	Increase	Decrease	Department or agency	April	May	Increase	Decrease
Executive departments (except National Military Establishment):					Independent agencies—Continued				
Agriculture.....	76,685	79,880	3,195		Interstate Commerce Commission.....	2,211	2,195		16
Commerce.....	40,464	42,212	1,748		Maritime Commission.....	6,424	6,283		141
Interior.....	45,969	47,631	1,662		National Advisory Committee for Aeronautics.....	6,857	6,939	82	
Justice.....	25,551	25,562	11		National Archives.....	382	379		3
Labor.....	3,516	3,554	38		National Capital Housing Authority.....	306	309	3	
Post Office.....	510,425	513,136	2,711		National Capital Park and Planning Commission.....	19	20	1	
State.....	7,962	8,142	180		National Capital Sesquicentennial Commission.....	2	2		
Treasury.....	91,443	90,325		1,118	National Gallery of Art.....	315	313		2
Executive Office of the President:					National Labor Relations Board.....	1,508	1,469		39
White House Office.....	230	230			National Mediation Board.....	111	101		10
Bureau of the Budget.....	528	530	2		Panama Canal.....	640	644	4	
Executive Mansion and Grounds.....	65	71	6		Railroad Retirement Board.....	2,423	2,384		39
National Security Council.....	18	20	2		Reconstruction Finance Corporation.....	4,587	4,589	2	
National Security Resources Board.....	373	348		25	Securities and Exchange Commission.....	1,147	1,133		14
Council of Economic Advisers.....	40	39		1	Selective Service System.....	5,451	4,997		454
Emergency war agencies: Office of Defense Transportation.....	28	12		16	Smithsonian Institution.....	538	541	3	
Postwar agencies:					Tariff Commission.....	240	238		2
Displaced Persons Commission.....	73	77	4		Tax Court of the United States.....	123	124	1	
Economic Cooperation Administration.....	935	944	9		Tennessee Valley Authority.....	12,672	12,782	110	
Office of the Housing Expediter.....	4,775	4,896	121		Veterans' Administration.....	198,999	198,848		151
Philippine Alien Property Administration.....	2	2			Total, exclusive of National Military Establishment.....	1,157,309	1,164,974	10,071	2,406
Philippine War Damage Commission.....	8	8			Net increase, excluding National Military Establishment.....			7,665	
War Assets Administration.....	3,843	3,701		142	National Military Establishment:				
Independent agencies:					Office of the Secretary of Defense.....	1,479	1,522	43	
American Battle Monuments Commission.....	13	13			Department of the Army.....	307,856	313,076	5,220	
Atomic Energy Commission.....	4,624	4,624			Department of the Air Force.....	137,484	139,521	2,037	
Civil Aeronautics Board.....	660	661	1		Department of the Navy.....	317,252	313,653		3,599
Civil Service Commission.....	4,172	4,159		13	Total, National Military Establishment.....	764,071	767,772	7,300	3,599
Export-Import Bank of Washington.....	120	120			Net increase, National Military Establishment.....			3,701	
Federal Communications Commission.....	1,316	1,315		1	Grand total, including National Military Establishment.....	1,921,380	1,932,746	17,371	6,005
Federal Deposit Insurance Corporation.....	1,066	1,062		4	Net increase, including National Military Establishment.....			11,366	
Federal Mediation and Conciliation Service.....	365	368	3						
Federal Power Commission.....	797	794		3					
Federal Security Agency.....	34,965	34,010		955					
Federal Trade Commission.....	655	653		2					
Federal Works Agency.....	22,645	22,817	172						
General Accounting Office.....	9,433	9,344		89					
Government Printing Office.....	7,039	7,020		19					
Housing and Home Finance Agency.....	11,540	11,493		47					
Indian Claims Commission.....	11	11							

<sup>1</sup> Exclusive of personnel of the Central Intelligence Agency.<sup>2</sup> Includes employees of Howard University and the Columbia Institute for the Deaf.<sup>3</sup> Adjusted to eliminate w. o. c. employees erroneously reported by the agency as expert consultants.

TABLE III.—Federal personnel outside continental United States employed by the executive agencies during May 1949, and comparison with April 1949

Department or agency	April	May	Increase	Decrease	Department or agency	April	May	Increase	Decrease
<b>Executive departments (except National Military Establishment):</b>					<b>Independent agencies—Continued</b>				
Agriculture.....	2,248	2,467	219		Maritime Commission.....	35	35		
Commerce.....	3,120	3,231	111		National Labor Relations Board.....	11	12	1	
Interior.....	5,891	6,390	499		Panama Canal.....	22,026	21,815		211
Justice.....	479	479			Reconstruction Finance Corporation.....	11	11		
Labor.....	36	35		1	Selective Service System.....	163	157		6
Post Office.....	1,782	1,796	14		Smithsonian Institution.....	5	5		
State.....	12,597	12,673	76		Veterans' Administration.....	1,651	1,628		23
Treasury.....	694	692		2					
<b>Postwar agencies:</b>					<b>Total, excluding National Military Establishment.....</b>	56,499	57,153	985	331
Displaced Persons Commission.....	159	160	1		<b>Net increase, excluding National Military Establishment.....</b>			654	
Economic Cooperation Administration.....	2,525	2,467		58					
Office of the Housing Expediter.....	27	26		1	<b>National Military Establishment:</b>				
Philippine Alien Property Administration.....	120	97		23	Department of the Army.....	66,607	64,234		2,373
Philippine War Damage Commission.....	951	980	29		Department of the Air Force.....	27,366	27,768	382	
War Assets Administration.....	2	1		1	Department of the Navy.....	38,657	38,118		539
<b>Independent agencies:</b>					<b>Total, National Military Establishment.....</b>	132,650	130,120		2,912
American Battle Monuments Commission.....	147	144		3	<b>Net decrease, National Military Establishment.....</b>			2,530	
Atomic Energy Commission.....	4	3		1					
Civil Aeronautics Board.....	19	18		1	<b>Grand total, including National Military Establishment.....</b>	189,149	187,273		3,243
Civil Service Commission.....	5	5			<b>Net decrease, including National Military Establishment.....</b>			1,876	
Export-Import Bank of Washington.....	2	2							
Federal Communications Commission.....	33	33							
Federal Security Agency.....	1,006	1,021	15						
Federal Works Agency.....	711	729	18						
Housing and Home Finance Agency.....	39	41	2						

TABLE IV.—Industrial employees of the Federal Government inside and outside continental United States employed by executive agencies during May 1949, and comparison with April 1949

Department or agency	April	May	Increase	Decrease	Department or agency	April	May	Increase	Decrease
<b>Executive departments (except National Military Establishment):</b>					<b>National Military Establishment:</b>				
Commerce.....	1,250	1,111		139	Department of the Army:				
Interior.....	4,876	5,988	1,112		Inside continental United States.....	166,309	171,079	4,770	
State.....	351	354	3		Outside continental United States.....	44,367	42,253		2,114
Treasury.....	4,420	4,453	33		Department of the Air Force:				
<b>Independent agencies:</b>					Inside continental United States.....	78,668	79,824	1,156	
Atomic Energy Commission.....	118	125	7		Outside continental United States.....	20,650	21,121	471	
Housing and Home Finance Agency.....	1	2	1		Department of the Navy.....	244,567	240,524		4,043
Panama Canal.....	1,851	1,865	14		<b>Total, National Military Establishment.....</b>	554,561	554,801	6,397	6,157
Tennessee Valley Authority.....	6,350	6,425	75		<b>Net increase, National Military Establishment.....</b>			240	
<b>Total, excluding National Military Establishment.....</b>	19,217	20,323	1,245	139	<b>Grand total, including National Military Establishment.....</b>	573,778	575,124	7,642	6,296
<b>Net increase, excluding National Military Establishment.....</b>			1,106		<b>Net increase, including National Military Establishment.....</b>			1,346	

TABLE V.—Employees of Federal agencies excluded from compilations by the Joint Committee on Reduction of Nonessential Federal Expenditures

[NOTE.—The Joint Committee on Reduction of Nonessential Federal Expenditures in its monthly personnel compilations excludes employees of the Board of Governors, Federal Reserve System, the Office of the Comptroller of the Currency in the Treasury Department, along with seamen and trainees on the rolls of the U. S. Maritime Commission. This personnel has been excluded because the personal service expenditures in the Board of Governors of the Federal Reserve System and the Office of the Comptroller of the Currency are paid from assessments levied on banks for this purpose, and during the war and immediate post-war period seamen and trainees on the Maritime Commission rolls were regarded as being in a military or quasi-military status.]

Month	Board of Governors, Federal Reserve System	Office of Comptroller of the Currency	Seamen and trainees, U. S. Maritime Commission	Total
1947—December.....	513	1,036	13,238	14,787
1948—January.....	513	1,046	11,664	13,223
February.....	513	1,046	11,219	12,778
March.....	511	1,046	9,865	11,422
April.....	513	1,044	9,285	10,842
May.....	513	1,051	7,256	8,820
June.....	515	1,057	6,240	7,812
July.....	517	1,064	5,548	7,129
August.....	514	1,071	5,291	6,876
September.....	512	1,073	6,037	7,622
October.....	522	1,076	5,800	7,398
November.....	524	1,082	5,442	7,048
December.....	529	1,080	5,536	7,145
1949—January.....	527	1,091	5,143	6,761
February.....	531	1,097	5,029	6,657
March.....	532	1,112	4,956	6,600
April.....	532	1,126	3,990	5,648
May.....	535	1,133	2,926	4,594

## STATEMENT BY SENATOR BYRD

## THREE HUNDRED AND FIFTY PEOPLE A DAY

The number of civilian employees in the executive branch of the Federal Government in April increased at the rate of more than 350 a day.

## MILLION DOLLARS A DAY

Average Federal pay is approximately \$3,000 a year. If those added to the Federal pay roll in April represent a net permanent increase, it means annual Federal personnel costs were increased during the month at the rate of more than a million dollars a day.

## MORE THAN 2,000,000 ON ROLLS

Total civilian employment in the executive branch in April numbered 2,122,710. The total for March was 2,111,257. The increase for the month was 11,453.

These figures were revealed today in a compilation of personnel reports certified by 61 reporting agencies of the executive branch to the Joint Committee on Reduction of Nonessential Federal Expenditures.

## INCREASE LEADERS

The greatest increase for the month was reported by the Department of Agriculture with 3,643. This was closely followed by the Army Department with an increase of 3,560 civilian employees. The Post Office Department was third with an increase of 3,282.

The largest decrease reported for the month was in the Department of the Navy which had a reduction of 4,618. War Assets Administration, which is in liquidation, reported the second largest decrease with 861.

## VETERANS' ADMINISTRATION INCREASE

While great publicity has been given the report that the Veterans' Administration was

to reduce its employment by 8,000, the Administration certified to the committee that there was a net increase of 508 during April in its paid personnel. Previous reports by the Administration reveal that since the beginning of the current fiscal year there had been a net increase in its paid personnel of 3,792 for the 10 months period.

## BIG PERSONNEL AGENCIES

A special table in the committee report for April shows that three agencies—the National Military Establishment, the Post Office Department, and the Veterans' Administration—are employing a total of nearly 1,600,000, approximately 76 percent of the total civilian personnel in the executive branch.

Employees reported by the remaining 55 principal departments and agencies aggregate little more than 500,000, or about 24 percent of the total.

## REPORTS OF COMMITTEES ON PERSONNEL AND FUNDS

Pursuant to Senate Resolution 123, Eightieth Congress, first session, the following reports were received by the Secretary of the Senate:

JULY 7, 1949.

## REPORT OF COMMITTEE OF FINANCE

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, Eightieth Congress, first session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees for the period from January 1, 1949, to June 30, 1949, together with the



funds available to and expended by it and its subcommittees:

Name and profession	Rate of gross annual salary	Total salary received
Elizabeth B. Springer, acting chief clerk.....	7,405.06	\$3,639.11
Janice Everly, stenographer.....	4,370.38	2,185.14
Sam Oglesby, stenographer.....	4,370.38	2,075.88
Esse R. Nichols, document clerk.....	2,991.04	1,888.62
Erge Benson (temporary assignment), minority professional assistant.....	9,301.11	2,667.83

Funds authorized or appropriated for committee expenditure..... \$10,000.00  
Amount expended..... 3,212.55

Balance unexpended..... 6,787.45

WALTER F. GEORGE,  
Chairman.

JULY 1, 1949.

#### REPORT OF COMMITTEE ON LABOR AND PUBLIC WELFARE

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, Eightieth Congress, first session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees for the period from January 1, 1949, to June 30, 1949, together with the funds available to and expended by it and its subcommittees:

Name and profession	Rate of gross annual salary	Total salary received
Earl B. Wixey, clerk.....	\$10,330.00	\$5,043.71
Philip R. Rodgers, assistant clerk.....	10,330.00	5,143.78
Vivien Harman, clerical assistant.....	7,416.32	2,030.42
Crawford C. Helein, clerical assistant.....	4,453.15	2,226.54
Dorothy Murphy, clerical assistant.....	4,949.73	1,524.15
Paul Sample, clerical assistant.....	5,032.50	2,516.22
Marguerite Yost, clerical assistant.....	3,542.74	246.02
Herman Lazarus, professional staff member.....	10,330.00	4,304.15
William G. Reidy, professional staff member.....	10,330.00	3,041.60
Thomas E. Shroyer, professional staff member.....	10,230.00	4,304.15
Melvin W. Sneed, professional staff member.....	10,330.00	4,752.12

<sup>1</sup> Resigned effective June 5, 1949.

<sup>2</sup> Appointed June 6, 1949.

<sup>3</sup> Appointed Feb. 1, 1949.

<sup>4</sup> Appointed Mar. 15, 1949.

<sup>5</sup> Appointed Feb. 1, 1949.

Funds authorized or appropriated for committee expenditure..... \$20,000.00  
Amount expended..... 7,421.84

Balance unexpended..... 12,578.16

ELBERT D. THOMAS,  
Chairman.

#### BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THOMAS of Utah:

S. 2227. A bill to amend the act approved July 18, 1940 (54 Stat. 766, 24 U. S. C., 1946 ed., sec. 196b), entitled "An act relating to the admission to St. Elizabeths Hospital of persons resident or domiciled in the Virgin Islands of the United States," by enlarging the classes of persons admissible into St. Elizabeths Hospital in other respects; and

S. 2228. A bill to amend the Public Health Service Act with respect to venereal disease rapid treatment centers, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. JOHNSON of Colorado:

S. 2229. A bill to provide for the settlement of certain parts of Alaska by war veterans; to the Committee on Interior and Insular Affairs.

By Mr. ECTON:

S. 2230. A bill to stimulate exploration, development, mining, production, and conservation of strategic and critical minerals and metals within the United States and its Territories; to establish an Office of National Minerals Development, Production, and Conservation within the Department of the Interior; and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MILLER:

S. 2231. A bill for the relief of Marco Murolo and his wife Romana Pellis Murolo; to the Committee on the Judiciary.

By Mr. MCCARTHY:

S. 2232. A bill for the relief of Peter Heyden; to the Committee on the Judiciary.

S. 2233. A bill to amend the Social Security Act so as to eliminate any reduction in benefits on account of wages earned; to the Committee on Finance.

By Mr. TYDINGS:

S. 2234. A bill to amend section 302 of the Servicemen's Readjustment Act of 1944, as amended; to the Committee on Armed Services.

By Mr. KILGORE:

S. 2235. A bill for the relief of Hyman D. Langer; to the Committee on the Judiciary.

By Mr. JOHNSON of Colorado:

S. J. Res. 116. Joint resolution to invalidate regulations prohibiting amputees from operating interstate motor carriers; to the Committee on Interstate and Foreign Commerce.

By Mr. HUMPHREY:

S. J. Res. 117. Joint resolution authorizing a memorial for Mohandas K. Gandhi; to the Committee on Rules and Administration.

#### EXECUTIVE AND INDEPENDENT OFFICES APPROPRIATIONS—AMENDMENT

Mr. PEPPER submitted an amendment intended to be proposed by him to the bill (H. R. 4177) making appropriations for the Executive Office and sundry independent executive bureaus, boards, agencies, and offices, for the fiscal year ending June 30, 1950, and for other purposes, which was ordered to lie on the table and to be printed.

#### HOUSE BILL PLACED ON THE CALENDAR

The bill (H. R. 1689) to increase rates of compensation of the heads and assistant heads of executive departments and independent agencies, was read twice by its title, and ordered to be placed on the calendar.

#### EXTENSION OF SECTION 1302 (A) OF THE SOCIAL SECURITY ACT RELATING TO MERCHANT SEAMEN

Mr. GEORGE. Mr. President, I ask unanimous consent that House Joint Resolution 287 be laid before the Senate. It is a matter which will provoke no debate.

The VICE PRESIDENT. The Chair lays before the Senate House Joint Resolution 287, which will be read by its title.

The joint resolution (H. J. Res. 287) extending section 1302 (a) of the Social Security Act, as amended, until June 30, 1950, was read twice by its title.

Mr. GEORGE. Mr. President, as in legislative session, I ask unanimous consent that the Senate now proceed to the consideration of the House Joint Resolution 287.

The VICE PRESIDENT. Is there objection?

Mr. WHERRY. Reserving the right to object, I will say my attention was diverted for a moment and I did not hear the Senator's statement as to the purpose of the joint resolution.

Mr. GEORGE. Mr. President, House Joint Resolution 287 merely extends to merchant seamen for 1 year the unemployment compensation provisions of the Social Security Act. There are still about 7,500 seamen employed by the Government, and they would have no unemployment compensation benefits if the extension were not made. Since it is a deadline case, the present extension having expired on June 30, it is necessary to have it renewed.

Mr. WHERRY. Mr. President, I have no objection.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution (H. J. Res. 287) extending section 1302 (a) of the Social Security Act, as amended, until June 30, 1950, was considered, ordered to a third reading, read the third time, and passed.

#### ADDRESS BY SENATOR MARTIN BEFORE PENNSYLVANIA VETERANS OF FOREIGN WARS

[Mr. MARTIN asked and obtained leave to have printed in the Record an address delivered by him at the annual convention of the Veterans of Foreign Wars, Department of Pennsylvania, at Philadelphia, Pa., on July 9, 1949, which appears in the Appendix.]

#### ADDRESS BY SENATOR MUNDT AT THE INTERNATIONAL CONVENTION OF KIWANIS CLUBS

[Mr. MUNDT asked and obtained leave to have printed in the Record an address delivered by him at the international convention of Kiwanis Clubs at Atlantic City, on June 20, 1949, which appears in the Appendix.]

#### ACTION BY NATIONAL EDUCATION ASSOCIATION AGAINST EMPLOYMENT OF COMMUNIST TEACHERS

[Mr. HOEY asked and obtained leave to have printed in the Record an article Teachers Vote To Oust Reds, published in the Charlotte (N. C.) Observer, dealing with the action of the National Education Association against teaching by Communist teachers in United States schools, which appears in the Appendix.]

#### DEFINITION OF THE "WELFARE STATE"—ARTICLE BY NELSON H. CRUIKSHANK

[Mr. MURRAY asked and obtained leave to have printed in the Record an article entitled "Welfare State Defined," written by Nelson H. Cruikshank and published in the New York Times of July 10, 1949, which appears in the Appendix.]

#### SOCIALISM IN BRITAIN—EDITORIAL FROM INDIANAPOLIS STAR

[Mr. CAPEHART asked and obtained leave to have printed in the Record an editorial entitled "Enough Is Enough," published in a recent issue of the Indianapolis Star, which appears in the Appendix.]

#### THE GOVERNMENT DEFICIT—EDITORIAL FROM WASHINGTON (IND.) HERALD

[Mr. CAPEHART asked and obtained leave to have printed in the Record an editorial entitled "Government in the Red," published in a recent issue of the Washington (Ind.) Herald, which appears in the Appendix.]

# CITATION OF WAYNE COY BY SONS OF INDIANA OF NEW YORK

[Mr. CAPEHART asked and obtained leave to have printed in the RECORD a citation by the Sons of Indiana of New York designating Wayne Coy, Chairman of the Federal Communications Commission, as the outstanding Hoosier of 1949, together with Mr. Coy's response, which appear in the Appendix.]

# THE BRANNAN PLAN—COMMENTS BY HASSIL E. SCHENCK

[Mr. CAPEHART asked and obtained leave to have printed in the RECORD an editorial entitled "Hassil Schenck Is Right," published in a recent issue of the Indianapolis Star; also an article entitled "Schenck Raps Brannan Plan," published in the Indianapolis Star of July 7, 1949, which appear in the Appendix.]

# TAXES—ADDRESS BY WALTER H. CARTER

[Mr. ROBERTSON asked and obtained leave to have printed in the RECORD an address on the subject of taxes, delivered by Hon. Walter H. Carter, of Amherst, Va., to the veterans' agricultural class of the Amherst, Va., high school, on June 7, 1949, which appears in the Appendix.]

# THE WELFARE STATE: WHERE DO WE GO FROM HERE?—EDITORIAL FROM THE RICHMOND NEWS-LEADER

[Mr. ROBERTSON asked and obtained leave to have printed in the RECORD an editorial entitled "The Welfare State: Where Do We Go From Here?" published in the Richmond News-Leader of July 8, 1949, which appears in the Appendix.]

# THE DEAD END OF NATIONAL SOCIALISM—ARTICLE BY FELIX MORLEY

[Mr. KEM asked and obtained leave to have printed in the RECORD an article entitled "The Dead End of National Socialism," written by Felix Morley and published in the July 6, 1949, issue of Human Events, which appears in the Appendix.]

# WANTS ANOTHER HENRY TO LEAD NATION—LETTER FROM RUSSELL KEININGHAM

[Mr. KEM asked and obtained leave to have printed in the RECORD a letter under the heading "Wants another Henry to lead Nation," written by Russell Keiningham to the editor of the Richmond (Va.) News-Leader, and published in the July 9, 1949, issue of that newspaper, which appears in the Appendix.]

# RENT CONTROLS—EDITORIAL COMMENT

[Mr. BRICKER asked and obtained leave to have printed in the RECORD an editorial entitled "Eyes of the United States Are on Texas," published in the Cleveland Plain Dealer of June 25, 1949, and another editorial entitled "Rent Control Marches On," published in the Cleveland Plain Dealer of June 28, 1949, which appear in the Appendix.]

# THE HAWAIIAN SHIPPING STRIKE—EDITORIALS FROM THE BREWERY GULCH GAZETTE AND THE LOS ANGELES TIMES

[Mr. BUTLER asked and obtained leave to have printed in the RECORD an editorial from the Brewery Gulch Gazette, of Bisbee, Ariz., and an editorial from the Los Angeles Times, relative to the Hawaiian strike situation, which appear in the Appendix.]

# THE PRESIDENT'S ECONOMIC REPORT SUMMARIZED

[Mr. O'MAHONEY asked and obtained leave to have printed in the RECORD a brief summary of the President's economic report, prepared by Dr. John D. Clark, one of the members of the Council of Economic Advisers, which appears in the Appendix.]

# THE TVA HAS FRIENDS—ARTICLE BY HODDING CARTER

[Mr. HUMPHREY asked and obtained leave to have printed in the RECORD an article entitled "The TVA Has Friends," written by Hoddling Carter and published in the Washington Post of July 3, 1949, which appears in the Appendix.]

# COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. O'CONOR a Subcommittee on the Judiciary was authorized to sit during the session of the Senate today.

# STATEMENT BY SENATOR MCCLELLAN RELATIVE TO OBJECTION BY MARITIME COMMISSION TO HOOVER COMMISSION REPORTS

Mr. MCCLELLAN. Mr. President, I ask unanimous consent to have printed in the body of the RECORD at this point as a part of my remarks, a statement which I have prepared, summarizing a report I have received from the Chairman of the Maritime Commission, expressing the view of the Commission with reference to the Hoover Commission reports as they affect that Commission.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

# STATEMENT OF SENATOR JOHN L. MCCLELLAN, CHAIRMAN, SENATE COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

Strenuous opposition to certain recommendations in the Hoover Commission reports affecting the United States Maritime Commission is contained in a statement submitted to Senator JOHN L. MCCLELLAN, chairman of the Senate Committee on Expenditures in the Executive Departments, by Maritime Commission Chairman Philip B. Fleming, which was released today.

In a lengthy report containing adverse comments relative to these Hoover Commission recommendations, criticism was centered on recommendation No. 9 of the Commission's report on regulatory commissions, which proposes to transfer the so-called "business" functions of the Maritime Commission, related to construction, operation, charter, and sale of ships to the Department of Commerce, thus separating them from regulatory functions relating to rates, conditions of service, and the granting of subsidies. Chairman Fleming's statement on this phase of the Hoover Commission's report, in part, follows:

"The Commission is unanimously and vigorously opposed to any proposed splitting of the functions now vested in the Maritime Commission with respect to the merchant marine.

"The proposals disregard the most important lessons of our merchant-marine history which resulted in the establishment of the Maritime Commission as an independent bipartisan agency in 1936. The Commission was established by the Congress after a prolonged and careful consideration of various proposals, many of them similar to those now made. The Congress rejected proposals involving a split administration of functions under a quasijudicial and policy-determining body and an executive or administrative body to be in a Cabinet department.

"The Congress in making that decision had before it the experience of the years 1933-36 during which the maritime agency—the United States Shipping Board—was placed in the Department of Commerce as a bureau pursuant to the 1933 enactment granting to the Executive broad powers for the reorganization of executive departments. The record made during that period was in large

part instrumental in causing Congress to enact the 1936 act and create the Maritime Commission as an independent bipartisan agency. To place any substantial part of the Commission's functions under a department would only be turning back the clock and repeating an experiment which ended in failure.

"Furthermore, to provide for splitting of maritime functions of the Government would only increase the difficulties of the citizen and the industry. One of the main problems confronting the merchant marine and the maritime industry already is the multiplicity of Government agencies and officials concerned with maritime affairs. The proposals, instead of improving this situation, actually would increase the diffusion of responsibility.

"The functions now within the jurisdiction of the Maritime Commission (with only a very few minor exceptions), can only be effectively carried out by an agency which is consistently and exclusively concerned with merchant marine problems. The industry itself and the citizen are entitled to this type of a Government agency in the merchant marine field.

"It is argued theoretically that the interests of the Government acting in its quasijudicial or quasi-legislative capacity may conflict with its functions of a proprietary or so-called business character. Actually, collisions between the Commission as a quasi-judicial or policy-making body and an administrative body are so rare as to be negligible. Actually, policies in respect of purely regulatory functions are so connected with and related to so-called operating or business functions, such as management of terminals, construction or sale of vessels, assistance in construction of vessels with or without subsidy, operation of or charter of vessels, that the proper administration of congressional policy for the merchant marine cannot be accomplished except by keeping such functions in one body which can appreciate the repercussions of activities in the one field upon activities in the other field and make its determinations in accord with the basic congressional policy.

"The so-called business or executive operations of the Commission are in fact so closely interwoven with the regulatory activities and subsidy of the Commission that to separate them would only compound the alleged difficulties in the present administration of the law."

The statement on this phase of the Hoover Commission's report concludes that "the Commission is convinced that the belief (which is hardly more than a hope) that the administration of nonregulatory, or executive, or business operations of the Commission can be separated from the regulatory and subsidy functions without serious complications is without foundation. . . . The Commission cannot emphasize too strongly the undesirability and danger of attempting to establish separate administrative agencies for governmental activities in respect of the ocean-going merchant marine. Historically and basically the continuance of promotional or operational or business functions concerned with the merchant marine in the same agency charged with the regulatory activities is a fundamental necessity for the successful administration of the merchant marine policy for the United States. Any other method would simply be a case of letting one hand function without the required amount of coordination with the other hand."

The Commission also objects to recommendation No. 12 in the Hoover Commission's report on the Department of Commerce dealing with transportation policies which proposes that the Secretary of Commerce be given the responsibility for making over-all route programs for air, water,



and land transportation, commenting as follows:

"This recommendation apparently is made in accordance with the recommendations in the Task Force Report on Regulatory Commissions (appendix N, p. 65) to the effect that there should be placed in the Commerce Department the function of 'investigation of ocean services, routes and lines from United States ports to foreign nations, and of what additions and replacements to the American merchant marine are necessary to achieve the objectives of the Maritime Act of 1936.'

"This concept of the functions involved as being operating or administrative is quite unrealistic. To attempt to carry out separately the regulatory and subsidy granting functions and the determination of essential services in the foreign trade, and also the determinations as to the replacements for the American merchant marine is to make it impossible to carry out any practical coordinated merchant marine policy. If the determination of the essentiality of a service to the commerce and national defense of the United States is to be made in the operating or executive branch of the Government, and that branch is also to determine the necessity of additions and replacements, the function of administering the subsidy allowances becomes a purely non-discretionary function not suited to the character of the independent agency. This constitutes in effect not a reorganization of the administration of functions but a violent distortion, or at least misunderstanding, of the purpose of the 1936 act. The Task Force Report (p. 66) states that the awarding of subsidies should be retained in the Commission because it involves 'the same needs for deliberation and group judgment, impartiality, and continuity which typically call for the independent commission.' The awarding of subsidies on routes determined by another agency and for vessels determined by another agency leaves very little room for any deliberation, group judgment, impartiality, or continuity of policy, which under the 1936 act is placed for determination in an independent bipartisan policy-making body.

"An examination of this recommendation can only lead to the general conclusion above expressed, that all the Government functions under the 1936 act must be vested in one agency in the interest of good government, public concern, and the merchant marine which is the objective of the 1936 act."

Dissent is made to recommendation No. 5 in the Hoover Commission Department of Labor Report (which proposes that the determination of minimum wages for seamen on privately operated vessels should be transferred from the Maritime Commission to the Secretary of Labor) on the grounds such determination is made only on vessels receiving operational subsidies which the Commission grants. The Commission notes the task force report on regulatory commissions recommended the Maritime Commission retain this function.

In regard to recommendation No. 14 in the Hoover Commission Report on General Management of the Executive Branch, it is interpreted to establish a clear line of authority extending down through every step of organization into the operation of all independent regulatory commissions, thus bringing the Maritime Commission under the direct control of the President. The report contends that "if these recommendations were carried out it would bring about a complete reversal in the constitutional development, beginning in 1887 with the enactment of the Interstate Commerce Act, of vesting in independent bipartisan or non-partisan agencies primarily responsible to the Congress, functions which are quasi-legislative and quasi-judicial in character. \* \* \* The Congress placed such functions and activities as regulation of railroads, regulation of radio and other methods

of communication, regulation of the electric-energy industry, the issuance of securities, the regulation and promotion of air transportation, and the maintenance and promotion of the American merchant marine, in independent agencies which, in general, are to be of a bipartisan or nonpolitical character and are not to be subject to fluctuations of political changes in government and pressures of a short view or selfish character."

Another point involving serious differences in points of view between the Maritime Commission and the Hoover recommendations is in relation to recommendation No. 1 of the report on regulatory commissions, "that all administrative responsibility be vested in the Chairman of the Commission." It is the view of the Maritime Commission that "this proposal violates a tried principle of organization, namely, that the executive or administrative head must be responsible to the planning or policy-making body." The Maritime Commission argues that "to set up as executive head an administrator over whom a commission had no control, even though it be the chairman and a member of the Commission, would lead to a voiding of all responsibility of the other members of a commission, and where inefficiency developed or a majority of a commission deemed a change desirable, the members of the Commission would have no way of taking steps to correct such inefficiency, or to bring about desirable changes. \* \* \* The Maritime Commission believes that the better way of handling this matter is to relieve a commission from routine administrative problems by its delegating its administrative authority to an executive officer. In this way the Commission is freed from administrative detail, but maintains control and direction of the agency."

Likewise the Maritime Commission is opposed to recommendation No. 3 of this latter report which would permit a commissioner, upon expiration of his term, to continue to hold office until his successor has been appointed and qualified, stating that it "does not deem the adoption of this recommendation desirable. The Commission feels that the effectiveness of such a 'holdover' would be vitiated. It might lead also to unnecessary delay in the making and the ratifying of appointments."

The Commission approves recommendations which would increase salaries of Commissioners, board members, and staff assistants; permit delegation by Commissioners of routine matters to assistants; improve in general the disposition of business before administrative agencies; the establishment of a central office of personnel; the adoption of a performance budget and the strengthening of the Office of the Bureau of the Budget; and, separation of estimates as between capital outlays and current operating expenditures as recommended by the Hoover Commission.

NOTE.—Mr. Fleming's statement on the Hoover Commission reports discussed above is available for examination in the office of the Senate Committee on Expenditures in the Executive Departments, room 357, Senate Office Building.

#### STATEMENT BY SENATOR McCLELLAN DISCUSSING LETTER FROM CHAIRMAN OF SECURITIES AND EXCHANGE COMMISSION RELATING TO HOOVER COMMISSION REPORTS

Mr. McCLELLAN. Mr. President, I ask unanimous consent to have printed in the body of the RECORD at this point as a part of my remarks a statement which I have had prepared, relating to a letter received by me from Edmund M. Hanrahan, Chairman of the Securities and Exchange Commission, discussing recommendations made by the Hoover Commission relating to the operations of

the Securities and Exchange Commission.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

#### STATEMENT OF SENATOR JOHN L. McCLELLAN, CHAIRMAN, SENATE COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

Senator JOHN L. McCLELLAN, chairman of the Senate Committee on Expenditures in the Executive Departments released today a letter received from Edmund M. Hanrahan, Chairman of the Securities and Exchange Commission, discussing recommendations made by the Hoover Commission relating to the operations of the Securities and Exchange Commission.

In commenting on recommendation No. 1 in the Hoover Commission's report on regulatory commissions, that the Chairman assume responsibility for the functioning of the Commission, and the task force recommendations relative to the strengthening of the office of the Chairman in administrative matters, the letter points out that the Securities Exchange Act of 1934 establishing the Commission does not provide for a chairman, and that all powers under this and other laws affecting the Securities and Exchange Commission are vested in the Commission. Under present practice a chairman is elected annually by the members, and the extent to which he assumes responsibility for various functions has varied with the particular incumbent.

The Chairman contends that:

"These considerations strike to the heart of the character of this agency as an independent bipartisan commission. Many apparently administrative matters upon closer analysis reveal important policy issues. For example, preparation of the Commission's budget estimate is largely an administrative problem, but policy is involved in determining which commission functions are to be maintained, enlarged, or diminished in making the budget requests. Supervision of workload, backlog, and the progress of the operating divisions is administrative except to the extent that such review might contain the power to direct the priority of disposition or to prefer the use of available personnel for one endeavor rather than another."

Emphasis is placed on the fact that giving authority over regulatory commissions to the Chairman would depart from the policy of independence and bipartisanship which has heretofore characterized their organization and operation, and in this respect go beyond the recommendations of the Commission on Organization for centralized administrative responsibility. The Chairman further develops this point as follows:

"With the entry of the Federal Government into the sphere of regulation of extremely sensitive and complex areas of our national economy, some safeguards were deemed necessary in order to avoid any implication of political motivation. And it would appear that the divorcement of the independent agency from any centralized political control by the particular administration which happens to be in power was considered to be a prerequisite to a sound continuity of regulation and also essential to the inspiration of confidence on the part of the persons regulated and the general public without which effective regulation cannot be achieved. The bipartisan agency device was the means adopted to achieve the desired end of independence. \* \* \* Viewed as a practical matter, it is not possible to isolate the various aspects of the work of this Commission."

The Securities and Exchange Commission Chairman also points out the difficulty in effectuating recommendation No. 7 of the Report on Regulatory Commissions, which

would authorize the Bureau of the Budget to suggest ways and means to improve and thereby reduce the cost of disposing of business before administrative agencies, stating that quasi-judicial proceedings before regulatory commissions have through the years developed more and more procedural safeguards of due process, and that many of these developments are the direct result of congressional action and of standards laid down by the courts in reviewing agency decisions. The Securities and Exchange Commission indicates that it would welcome a study of the possibilities of simplifying hearing procedures, within the limits of the due process requirements, to save expense both to the public and to the Commission.

Regarding recommendation No. 1 in the Hoover Commission Report on Budgeting and Accounting, which calls for establishment of a budget based upon functions, activities, and projects, Commissioner Hanrahan comments as follows:

"Our experience supports the recommendation that a 'performance budget' be adopted. For the past several years the justifications of our budget estimates generally have been based on the cost of performing the major functions under the several acts which the Commission administers, such as the examination of registration statements and other documents, and surveillance of security markets, etc. We have found that this method of justifying the estimates permits a better understanding of our budgetary needs by congressional appropriations committees and by the Bureau of the Budget, than would the justification of the estimates by objects of expenditures. The preparation of the President's budget on the basis of 'performance' doubtless would tend to provide a better relationship of expenditure, obligations, and future estimated costs to the work accomplished in the prior year, the work in progress in the current year, and the work contemplated for the budget year."

Referring to recommendation No. 9 of this Hoover Commission report, which would vest in the President the authority to effect improvements in statistical activities, Mr. Hanrahan states:

"This Commission now compiles and publishes certain business statistics relating to the financial affairs of corporations registered with us under one or more of the acts we administer. It is believed that a central authority, which would have the responsibility of designating focal agencies to carry on particular statistical functions under adequate budget allocations, would improve the program."

In commenting on the task force discussions of the jurisdiction of the Board of Governors of the Federal Reserve System over margin requirements, and recommendations for the transfer of that jurisdiction to the Securities and Exchange Commission, the Chairman stated:

"In that regard, the report recognizes that while the fixing of margins in securities trading is a credit control mechanism it operates directly in a market over which this Commission has been given broad powers and as to which it has accumulated detailed knowledge and experience. Effective policy making as to margins must, in our view, coordinate both the general credit and specific market factors. We believe that it is an appropriate function of this Commission to handle those aspects of the question that relate to market factors. The best method of precisely locating and effectively administering these policy-making functions cannot be determined without a fuller exploration of the problem."

With reference to integration and simplification of statutory requirements, the chairman indicates that experiences with the actual administration of the Securities Exchange Act shows the need for various amendments to increase investor protection

and, in some instances, to ease the burden of compliance. He reported that the Commission is now in consultation with the industry to formulate a program for submission to the Congress which would be designed to correct this situation.

The letter discusses in detail the problem of effectuating sound methods of administering the statutes, with emphasis on determining procedures which would prevent the staff from extending or curtailing the policies of the Commission, which is quoted in part as follows:

"As a matter of normal internal operation it is neither possible nor desirable to keep the staff from discussing pending problems either with the Commission or with individual Commissioners nor would it be advisable to insulate the staff from the Commission in all cases where a registrant indicates that, should the advice of the staff be unsatisfactory, he will request an appeal to the Commission. To enforce such insulation would be inconsistent with the need for continuous and close supervision by the Commission of staff activity which the task force properly considers very important. Direct presentation of a problem to the Commission by members of the public serves a variety of aims. It gives the Commission direct contact with its regulatory problems; it is a means of supervising staff activities; it assures the member of the public that the Commission itself is passing on a matter he deems to have been mishandled by the staff. In order for these purposes to be fulfilled the procedure must provide full opportunity for presentation of the case by the member of the public. \* \* \* We assume, of course, that the procedure intended by the task force is to be flexible, and that when appropriate the member of the public may be permitted (and at time perhaps required) to open the discussion. However, the danger of formalizing any particular procedure is that the discussion will inevitably begin with preliminary argument and ruling as to order of presentation with the result that the atmosphere is changed from informal to formal and the value of the appearance as a conference is lost."

"For some time we have been aware of the problem of publicity for informal interpretations, and members of the staff have been studying the possibility of broader publication than is now made. In selecting a body of interpretations suitable for publication, we have to bear in mind that the publication of a policy or interpretation tends to create a fixed standard. Stability and publicity of interpretations are desirable; but these ends should not overshadow the value of proceeding on a case-by-case basis, improving and refining interpretations as experience grows. I cannot, therefore, at this time predict how much wider in scope we can make the publication of informal interpretations. The report has been invaluable in underlining the necessity of achieving as wide currency as possible for these interpretations. It is our hope that we can expand such publicity materially without impairing necessary flexibility."

The chairman concludes his letter with the following statement on estimates of economies:

"It is not possible to estimate the effect of instituting the changes discussed above on the budget of this Commission. Certain of the proposals could produce modest savings. For example, the establishment of a local records center, closer integration of statistical work with other departments, more efficient hearing procedures, and simplification of procurement should result in economies. On the other hand, expansion of publications, enlargement of management and planning functions, and assumption of jurisdiction over margins might increase expenses somewhat."

The full text of the letter from the Chairman of the Securities and Exchange

Commission is available at the offices of the committee. The report from the Commission has been submitted to a subcommittee composed of Senators McCLELLAN, EASTLAND, and IVES, which has under consideration S. 2073, making certain changes in laws applicable to regulatory agencies of the Governments so as to effectuate the recommendations regarding regulatory agencies made by the Commission on Organization of the Executive Branch of the Government. Further comments from the Securities and Exchange Commission have been requested relative to the specific provisions of the proposed legislation.

#### ALLEGED CHARTERING OF PLANE BY SIOUX CITY GAS & ELECTRIC CO.—LETTER FROM SIOUX CITY CHAMBER OF COMMERCE

Mr. HICKENLOOPER. Mr. President, on July 1 the Senator from Montana [Mr. MURRAY] made a speech in connection with the proposed Missouri Valley Authority, and in connection with it he inserted in the Record an editorial from a Sioux City, Iowa, publication called the Unionist and Public Forum. That editorial alleges that the Sioux City Gas & Electric Co. had chartered a plane flight from St. Louis, Mo., for the purpose of opposing the organization of a Missouri Valley Authority.

Today I have received a copy of a letter from Mr. Harold L. Murphey, managing director of the Sioux City Chamber of Commerce, indicating that the power company in question had nothing whatever to do with the chartering of the plane as indicated by the editorial; and the letter purports to give the real facts. I ask unanimous consent that the letter be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

SIOUX CITY CHAMBER OF COMMERCE,  
Sioux City, Iowa, March 10, 1949.

Mr. EDWARD E. ROELOFS,  
Editor, Unionist and Public Forum,  
Sioux City, Iowa.

DEAR SIR: Our attention has been called to an article appearing in your February 10 issue of the Unionist and Public Forum, in which you report that 22 Sioux Cityans were guests of the Sioux City Gas & Electric Co. on a chartered plane flight to St. Louis where they attended the annual conference of the Mississippi Valley Association. We also note that in your March 3 issue, under the column headed "Our public forum," there appeared a letter over the signature of John Clark. Following this open letter is an editorial comment stating that you had verified the statement that the local utility company had chartered the plane.

We presume your readers are interested in learning the truth concerning this matter, and we submit to you these actual facts:

1. The files of the Sioux City Journal and the Sioux City Chamber of Commerce will show that Sioux Cityans have been actively interested in the development of the Missouri River in all of its phases, including flood control, irrigation, navigation, and power for over 25 years.

2. Believing in organized effort, the members of the waterways committee of the Sioux City Chamber of Commerce have been attending the annual convention of the Mississippi Valley Association regularly at St. Louis every year.

3. These annual trips have always been sponsored by the waterways committee of the chamber of commerce, and in every instance, those attending have always cared for their own expenses.



4. Plans for chartering the plane for the 1949 trip were first discussed at a meeting of the waterways committee over 6 months ago, and on November 18 the committee members were polled to determine the type of transportation desired. At this meeting, 14 persons signified their preference for air transportation, and the secretary of the chamber of commerce was instructed to make all arrangements for plane and hotel reservations for the Sioux City party.

5. Acting under instructions of the committee, the secretary personally contacted Mr. Keith Arnold, local representative of the Mid-Continent Airlines, and contracted for the chartered plane for a stipulated amount.

6. In carrying out the instructions of the committee, the secretary of the chamber of commerce and the cochairman of the Waterways committee personally contracted individual prospects for the trip and collected their proportionate share of the transportation costs.

7. Representatives of the Sioux City Gas & Electric Co. had no part in planning the trip, nor did any representative of the utility company contact any representative of the Mid-Continent Airlines with respect to the trip in question.

8. All checks for transportation were made payable to the chamber of commerce and, in turn, the chamber of commerce made out one check payable to the Mid-Continent Airlines.

We are at a loss to understand how any individual could verify facts to you which are contrary to those stated above. We would be glad to offer evidence to you at any time to prove conclusively that the above statements are correct in every detail.

Very truly yours,

HAROLD L. MURPHEY,  
Managing Director.

#### AMERICA'S ECONOMIC CONDITION

Mr. WILEY. Mr. President, I send to the desk a statement, which I have prepared on the subject of our Nation's attitude toward the recession in which we find ourselves. I ask unanimous consent that this statement be printed at this point in the CONGRESSIONAL RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

#### COMMENTS BY SENATOR WILEY ON AMERICA'S ECONOMIC CONDITION

Today the President's midyear economic report is going to be submitted to the Congress. On the basis of this report and many other economic signs, American will be evaluating the present position of our country. It is essential in this evaluation that we go neither to the extreme of (a) rosy optimism which fails to recognize many of the present dark spots in the picture, or, (b) gloomy pessimism which underestimates the tremendous pent-up demand in our people for autos, television sets, refrigerators, higher nutritional standards, etc.

#### SILVER PLATTER DAYS OVER

As one Wisconsin paper, the Neenah-Menasha News Times, put it in an editorial of almost a month back "The silver-platter days are over"—the days in which folks would knock down salesmen in their rush to buy goods. Now businessmen and salesmen have to go out and use genuine salesmanship on our people. That is not, however, a necessarily bad condition. On the contrary, many folks might rightly regard the return to the days of salesmanship as a real blessing. Healthy competition is important.

Nevertheless, all of us, as I have pointed out in previous Senate statements, are determined that we will not go back to the days of unhealthy mass unemployment, when farmers had to dump their milk on

the roads because milk prices were so low that the farmers couldn't get their cost of production plus a reasonable profit. We don't want to go back to the days when factory after factory closed down and men roamed the streets aimlessly; when homes were broken up because wage earners lost their self respect and confidence in themselves due to long unemployment.

#### MIDLAND COOPERATOR ARTICLE

In this connection I ask unanimous consent that two related editorial pieces be printed in the CONGRESSIONAL RECORD. One of them is the afore-mentioned editorial in the Neenah-Menasha News-Times which discusses briefly and realistically the Nation's economic problem. The second is an interesting statement by Mr. Andrew Jensen, labor relations director of the Midland Cooperative Wholesale. This statement (printed in the July 6 issue of Midland Cooperator) discusses very pointedly the matter of thinking ourselves into and out of a depression. Constructive thinking followed by constructive action is the remedy recommended by Mr. Jensen, and it is one which I, for one, certainly endorse.

#### [From the Neenah-Menasha News-Times] SILVER PLATTER DAYS OVER

Since last fall the Nation has been in a process of business adjustment, many of its facets just dawning upon the public. The dropping of prices, lowering of sales and reducing of production, a few less hours of weekly labor, a few more unemployed, have gradually been making for a change in the general economy.

Officialdom and most industrial leaders have soft-pedaled the spread of this disinflation or adjustment, and wisely so. The changes have been slow and graduated, and quite orderly in nature. The housewife hasn't awakened in the morning to find the groceries have cut their prices in two, nor has she awakened to find her husband out of work. The food prices have been cutting down slowly but surely, and in most instances, the employee has lost but a few hours a week—much of it overtime which he had begun to take for granted.

Business is still good in general. Employment is still good in general. In the Twin Cities, the adjustment has been slight. The mills have curtailed production somewhat because of somewhat lowered demand, but employment has suffered very lightly. Income is still relatively good for the greater part.

If people will face the adjustment squarely, rather than be pessimists or alarmists, the adjustment will be kinder on every one—and on themselves. We were on a high peak of everything—income, prices, production, etc.—for an extended ride, now we may have to coast on a slightly lower level for awhile. Indications are for continued prosperity but it may be the kind that has to be worked for, fought for—no longer will we be handed things on a silver platter.

#### [From the Midland Cooperator of July 6, 1949]

#### WE CAN THINK OURSELVES IN OR OUT OF A DEPRESSION

(By Andrew Jensen, Midland labor relations director)

Experience is the best teacher, we are told time and again. So many things in life point to the truth of it that we are almost forced to believe it. Too great a willingness to take the truth of it for granted may, however, lead us into a dangerous trap.

The danger lies in our possible failure to properly evaluate the factors behind our previous experiences. Thus we may reason: Good years have invariably been followed by bad years, therefore, now that we have had a few good years, we must inevitably have a

few bad years. Even more superficial reasoning might lead us to say that the 1920's were good years, the 1930's were bad, therefore that experience teaches us that inasmuch as the 1940's were good years the 1950's will be bad.

If we permit ourselves to fall into the trap of that type of reasoning we will become afraid of the immediate future. We will fear to spend and invest in our usual manner, we'll wait in the hope that goods will be cheaper that conditions will return to normal, etc.

Out of such fears depressions are born and who is to say to what extent they will grow and when they will stop growing?

#### DEPRESSION FEARS

Thus depression fears become factors and in themselves contribute to producing the very monster feared. In other words we can think ourselves into a depression if we act according to that line of thought. Can we also think ourselves out a depression? Believe it or not, the answer is yes.

But, remember it is not the thinking that does it. It is the action that follows our line of thinking. That does not mean blind faith without valid supporting reasons. It means the sort of thinking that endeavors to investigate the underlying factors involved in "booms and busts." It means thinking and studying to attempt to locate the factors that were or were not present when the break came in, say, 1929, and to locate the factors that are or are not present today.

#### BOOMING STOCK MARKET

For instance, in 1929 we had a booming stock market, we don't today (and incidentally we didn't have it to the same degree even when times were good in the forties.)

In 1929 we had a weak bank structure, proven by the tremendous losses that later occurred. Today with depositors insurance that has been strengthened.

Workers, when thrown out of employment in 1929 or the thirties had to fall back immediately and exclusively on their own often meager resources. Today, unemployment insurance will be a factor.

Farmers during the thirties saw prices fall to a supply-and-demand level that proved disastrous. Today, they do have a measure of protection as to prices on their products. Social security and old-age pensions, inadequate as they may appear, nevertheless are factors.

Thus our faith in the immediate future of our economy can be built by weighing factors pro and con. Can we find more factors in favor of a depression than against?

At this stage it is still the belief of this writer that the odds are in favor of good times following a comparatively brief settling down process.

#### DISPLACED PERSONS OF GERMAN ETHNIC ORIGIN

Mr. WILEY. Mr. President, I send to the desk an important letter which I have received from Mr. Oswald C. J. Hoffmann, director of the department of public relations of the Missouri Synod of the Lutheran Church. Mr. Hoffmann writes on the very important subject of justice for the stricken folks of German ethnic origin who were driven from their homelands at the conclusion of the Second World War. I have previously commented on this subject, as my colleagues will recall, on the floor of the Senate in discussing both this and other phases of the humanitarian displaced persons problem. I have indicated that the people of America are anxiously watching our actions hoping that we will revise the law insofar as both displaced persons and expelled persons are concerned. I ask unanimous consent that the text of Mr. Hoffmann's letter be

printed at this point in the CONGRESSIONAL RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE LUTHERAN CHURCH,  
MISSOURI SYNOD,  
July 7, 1949.

The Honorable ALEXANDER WILEY,  
United States Senate, Washington, D. C.  
DEAR SENATOR WILEY: A strong body of opinion in the Lutheran Church-Missouri Synod, representing 1,500,000 American Lutherans, believes that the time has come when it can no longer give wholehearted support to displaced-persons legislation containing the discriminatory feature of barring persons otherwise eligible except for their ethnic origin, in this case largely German.

We recognize the difficulties inherent in making these people eligible for aid when IRO, by a specific clause of annex I, excludes them from its program. We know, however, that our own country will not forever be a party to that injustice, growing out of the distorted European hates of World War II.

Whatever you and your fellow Senators can do to make our people feel that members of their own families, driven out of Russian-occupied territory in ruthless fashion, will receive some help in future displaced-persons legislation, will be appreciated. We are convinced, further, that such help, if extended on a quota basis, should be charged against the quotas of countries from which these unfortunate people were forced to emigrate.

Very truly yours,

OSWALD C. J. HOFFMANN,  
Director, Department of Public Relations.

WITHDRAWAL OF NOMINATION OF FRED A. CANFIL TO BE UNITED STATES MARSHAL, WESTERN DISTRICT OF MISSOURI

Mr. LUCAS. Mr. President, I hold in my hand a notice of the withdrawal of the nomination of Fred A. Canfil, of Missouri, to be United States marshal for the western district of Missouri.

It is my understanding that the President of the United States sent the nomination of Mr. Canfil to the Senate for confirmation on January 13, 1949.

It is my further understanding that Mr. Canfil is a resident of the home district of the President of the United States. This is not a new nomination. Mr. Canfil is now serving as United States marshal for the western district of Missouri. It is my understanding that no formal objections have been lodged against Mr. Canfil, and I rise only for the purpose of expressing my profound regret that the Judiciary Committee has not acted on this nomination up to this hour, and that the President has seen fit to withdraw the nomination because of that fact.

Mr. McCARRAN and Mr. DONNELL addressed the Chair.

The VICE PRESIDENT. Does the Senator from Illinois yield; and if so, to whom?

Mr. LUCAS. I yield first to the Senator from Nevada.

Mr. McCARRAN. Mr. President, in view of the statement of the able Senator that no action was taken by the Committee on the Judiciary, I desire to correct the RECORD. The matter has been before the Committee on the Judiciary for several months. The Senator from Missouri [Mr. DONNELL] was very insistent on his objection to the nomination. For that reason the nomination

was held over until such time as the committee could hear the Senator from Missouri and give the subject more thorough consideration. The Senator from Missouri is on his feet, and can corroborate what I say.

Mr. DONNELL. Mr. President, will the Senator from Illinois yield to me?

Mr. LUCAS. I yield.

Mr. DONNELL. Mr. President, I rose at substantially the same instant at which the Senator from Nevada was observed by me to rise.

In connection with Mr. Canfil, a series of facts was brought to my attention at the time he was nominated, or approximately the time he was nominated, during the Eightieth Congress. It was charged that Mr. Canfil had made a certain remark in connection with an incident occurring at Springfield, Mo., his remark being to the general effect that "The Constitution be damned," or words very closely approximating that meaning. I did not know that this announcement was to be made on the floor of the Senate today, or I would have been pleased to bring my record with me.

This subject has been called to the attention of the Attorney General of the United States by me. The Attorney General made an investigation, and very kindly furnished to me the results of the investigation.

In the Eighty-first Congress the nomination was again sent to the Senate by the President, and a subcommittee of the Committee on the Judiciary, of which subcommittee I had the honor to be a member, was appointed. The chairman of that subcommittee was the senior Senator from Mississippi [Mr. EASTLAND].

It appears that the appointment of the subcommittee was made about January of this year. I assumed that the chairman of the subcommittee knew of the fact that he had been appointed as chairman of the subcommittee. Before determining what action to take with respect to Mr. Canfil—and I may say that I have never stated that I was opposed to him; I merely wanted to investigate the facts and give them to the Judiciary Committee, and ultimately to the Senate—I spoke to the chairman of the subcommittee. I assumed that the Senator from Mississippi knew of the fact that he was chairman of the subcommittee. From day to day the matter rested, and, finally, a few weeks ago, I spoke to the Senator from Mississippi, and found that he did not know that he was chairman of the subcommittee. I was of the view that we should have a hearing upon Mr. Canfil's nomination.

In the report of the Attorney General which was given to me the names of the various witnesses who had been interviewed by the Attorney General's representative were not set forth. I requested the list of names, and pending the outcome of the request for the names no hearing has been set with respect to the nomination of Mr. Canfil. A date was tentatively, although not officially, agreed upon, but there being no knowledge on my part of the names of the witnesses, it was not practicable to go ahead.

I may say that I am perfectly willing to go ahead. If the President desires

this matter investigated I am perfectly willing to do it at any time. Upon the furnishing by the Attorney General to me of the list of names of witnesses I shall be pleased indeed to go ahead with the investigation.

I understand that the President has withdrawn the nomination, from which I take it that the Judiciary Committee no longer has any duty; but I wanted to explain these facts. It may be that I shall find it advisable to amplify somewhat my statement on the floor after reference to my file, which I do not have with me at this time.

I thank the Senator from Illinois for permitting the interruption.

Mr. LUCAS. Mr. President, will the Senator tell me when he requested the names of the witnesses?

Mr. DONNELL. I should say that they were requested 6 or 8 weeks ago. I cannot give the date with accuracy.

I may say that since then I was told on one occasion by a representative of the Attorney General's Office, Mr. Lanman, that the names would not be furnished. I was subsequently told by Mr. Peyton Ford, Assistant to the Attorney General, that he would like to consider further the question whether they should be furnished. The last occasion upon which I talked with him was in the Senate restaurant, I think probably about 2 weeks ago. I think he had the list with him at the time. He had a document which looked like a list, but he wanted to consider the matter further, and has not furnished me the list.

Mr. LUCAS. I can well understand how the Senator from Missouri would be vitally concerned about an alleged statement made by the nominee to the effect the Constitution be damned. However, the fact remains that this nomination was sent to the Senate on January 13, and up to this time nothing has been done by the subcommittee. I am surprised to learn that my distinguished friend from Mississippi [Mr. EASTLAND] did not know that he was chairman of a subcommittee to handle such an important nomination.

Mr. DONNELL. That is correct, if the Senator will permit the interruption. He did not know it, and he told me so.

Mr. LUCAS. I say, I am surprised; and I think the Senator from Missouri must admit that he was surprised to learn that the Senator from Mississippi did not know that he was chairman of a subcommittee to handle the nomination of a law enforcing officer.

Mr. DONNELL. Mr. President, if I may interrupt the Senator, with his permission, I should like to make it perfectly clear that when the Senator from Mississippi learned of the fact that he was chairman of the subcommittee, he was entirely willing to proceed, and told me that any date I might fix for the hearing would be agreeable to him. He has shown a very fine spirit of cooperation.

Mr. LUCAS. I can understand the fine spirit of cooperation near the end of the session; but it is a little difficult for me to understand why such a far-reaching nomination of this kind, especially of a man coming from the home district of the President, who happens personally to know the nominee, should not have



been considered with promptness and dispatch. I cannot understand why it was not considered long before this, because many other nominations have been reported out by the Judiciary Committee.

I merely rise to obtain some information about Mr. Canfil. It is my understanding that if Mr. Canfil's nomination is not confirmed at this session, he will be off the pay roll. I wonder if that has something to do with the delay in the consideration of his nomination.

Mr. DONNELL. Mr. President, will the Senator yield at this point?

Mr. LUCAS. I yield.

Mr. DONNELL. My understanding is directly to the contrary of what has just been said. I understand that the office of the United States Marshal is a continuing office. Mr. Canfil's appointment expired a year or so ago, or longer ago than that, I think; but I understand that he has been on the pay roll ever since and will continue to stay on it.

I, for one, am perfectly willing that a full, complete investigation be made of Mr. Canfil; and at this moment I state unqualifiedly that if the Attorney General of the United States will furnish me the list of witnesses which is in his position, I shall be perfectly willing and anxious to proceed with the investigation.

For the benefit of the Senator from Illinois and the entire Senate, I shall be glad to give, within the next day or two, upon the floor of the Senate, if I may obtain the floor, a very complete statement of the facts, both as to what Mr. Canfil was charged with, what he himself said, what the letter of the Assistant to the Attorney General, Mr. Peyton Ford, stated, and any other relevant facts in the record. I am perfectly willing to proceed with the matter at any time.

Mr. LUCAS. Mr. President, I appreciate the spirit in which the Senator from Missouri approaches this very important nomination. I know nothing whatsoever about the facts of the case. The only thing I do know is that no action has been taken one way or the other on the nomination. A few moments ago I learned for the first time that the Senator from Mississippi [Mr. EASTLAND] did not know until recently that he was chairman of a subcommittee to handle this matter.

Mr. DONNELL. It was several weeks ago.

Mr. LUCAS. In any event, I think it is to be regretted that the Senator from Mississippi did not know he was chairman of the subcommittee.

Mr. KEM. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. KEM. I should like to say that I am in entire accord with the position taken in this matter by the senior Senator from Missouri [Mr. DONNELL]. The incident to which reference has been made was widely publicized throughout our State. Certainly no person should be confirmed for the important office of United States marshal if such a charge against him can be substantiated.

I happen to come from the same district in which the nominee lives, and it is the district of the President of the

United States. I wish to say that I think this matter should be subjected to the most careful and thorough examination.

Mr. LUCAS. Mr. President, I agree with all that the Senators on the other side of the aisle have said. That is why nominations are submitted to the Senate—for the purpose of having them examined carefully.

In this case the examination is under the jurisdiction of the Judiciary Committee. The only thing I am complaining about is that that has not been done, although now we are close to the winding up of the session—perhaps I should not say close to the end of the session, but at least we are moving in that direction.

Mr. DONNELL. Mr. President, can the Senator from Illinois give us some assurance about that? [Laughter.]

Mr. LUCAS. Just a moment, please.

Mr. President, I can understand how the two able and distinguished Senators from Missouri are able to rise on the floor of the Senate and more or less castigate this gentleman, who has been appointed by the President of the United States.

Mr. KEM. Mr. President, will the Senator from Illinois yield to me?

Mr. LUCAS. I yield.

Mr. KEM. Mr. President, I submit that nothing which has been said castigates this gentleman, who has been nominated for an important office by the President of the United States. All that has been said is that certain charges which have been publicly made against him should be investigated. I am certain there is no harm in that, and no discourtesy to the President of the United States.

Mr. LUCAS. Mr. President, the junior Senator from Missouri is always courteous to the President of the United States, and everyone knows that. It is common knowledge in the State of Missouri.

But I return to what I said originally about this kind of nomination. I know that the Judiciary Committee, headed by the distinguished Senator from Nevada [Mr. McCARRAN], has been exceedingly busy with many, many matters which are before it. There has been more activity on the part of that committee, so far as matters on the legislative calendar are concerned, than probably on the part of any other Senate committee.

I simply rose to find out, if I could—but I have not yet found out—just why this matter has been put off from day to day, from week to week, and from month to month.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. STENNIS. Mr. President, I know nothing about the facts in this matter. But my colleague, the senior Senator from Mississippi [Mr. EASTLAND] is not in the city today. The statement of the senior Senator from Missouri that my colleague did not know until quite recently that he was chairman of this subcommittee, I am sure is the fact; and I do not want any inference or suggestion of dereliction of duty or neglect or anything of the sort to be drawn from anything said here in regard to my col-

league, certainly, until he has had a chance to know of this matter and to become acquainted with the facts.

Mr. LUCAS. Mr. President, I drew no inferences about the senior Senator from Mississippi. I think the junior Senator from Mississippi has now emphasized that fact, as a result of his own statement. Whether there has been any dereliction of duty, the record will speak for itself.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. McCARRAN. I may say, in explanation, that this nomination came first to the Eightieth Congress, and then came later to the Eighty-first Congress. When it came to the Eighty-first Congress, objection was made, and a suggestion was made that the matter be submitted to a subcommittee. The subcommittee was immediately appointed. The calendar of the Judiciary Committee will show that that subcommittee was immediately appointed.

That subcommittee has had the matter under advisement, if we wish to term it such, ever since. On several occasions the chairman of the Judiciary Committee has asked for action by the full committee on this nomination. In each instance, something was said about carrying it over.

I wish to state frankly that I thought it was better to carry the nomination over, rather than to have the nominee defeated, which seemed to be what we were up against.

Mr. LUCAS. Mr. President, I appreciate what the distinguished chairman of the Judiciary Committee has said. He advises us that the subcommittee was appointed in the early part of the session to consider this matter; and he now advises us that he thought it better to continue the nomination, rather than to have the nominee defeated—which demonstrates if true that the majority of the committee had arrived at an adverse decision made before the evidence was heard.

To my mind, it seems very regrettable that the chairman of the Judiciary Committee would tell the Senate of the United States that he thought this nominee was going to be defeated, and that therefore it was better to carry the nomination over, yet not one line of evidence has ever been submitted against this gentleman, before the subcommittee which was appointed by the chairman of the Judiciary Committee.

I submit that, regardless of what the evidence showed, it was wrong in not considering this nomination, above all others, as a result of the fact that it came from the President's own district in the State of Missouri. I have no way of knowing the facts and certainly the Senator from Illinois is not passing judgment on the nominee's qualifications, but Mr. President, the President of the United States was entitled to the respect and the courtesy of the committee in handling this matter expeditiously, instead of waiting here until toward the end of the session and compelling the President of the United States to withdraw the nominee's name from the Senate.

Mr. DONNELL. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from Missouri?

Mr. LUCAS. I yield.

Mr. DONNELL. In the first place, I know of no reason why the President of the United States should be impelled to withdraw this name because of any delay on the part of the Judiciary Committee. If the nomination should be confirmed, it would seem to me, most respectfully, that the proper procedure would be not to withdraw the name of the nominee but to insist upon action. In the second place, I want to make it perfectly clear that there has been no dereliction of duty whatever on the part of either the Senator from Nevada [Mr. McCARRAN] or the Senator from Mississippi [Mr. EASTLAND]. The Senator from Mississippi, on the floor of the Senate, when I called his attention to the fact that he was chairman of the subcommittee, immediately told me that he did not know that he was. I stepped to the telephone in the lounge and confirmed the fact that he was, and I so reported back to him. He told me, as he has told me since, that any date I should fix would be perfectly agreeable to him for the hearing.

Mr. President, there is one very important fact that I think should be mentioned, and that is that the Attorney General of the United States, the Honorable Tom Clark, himself came to my office a few weeks ago. I think I have a record in my office as to when it was. He came in to see me on two very distinct matters. One of them had no relation whatever to this, and I shall not go into that, unless it is desired. The second, however, was this Canfil matter. I told him of the fact that I had requested the list of names of the witnesses who were supposed to have heard what had been stated, and whose testimony was all in the letter from Mr. Peyton Ford to me, and I told him that Mr. Lanman, the representative of the Attorney General's office, had told me that the list would not be forthcoming. Thereupon Mr. Clark assured me that I would receive the list. I expected it within the next few days. I heard nothing from it. I did nothing with respect to communicating with him. But Mr. Ford himself came over to the Senate, and we went to luncheon together. We talked it over at the luncheon, and he told me he wanted to think it over further. That, I think, was probably 2 weeks or so ago.

Mr. President, I want to say once and for all that I am perfectly willing to give to the Senate every fact with respect to Mr. Canfil within my control, and not only that, I shall do so in extenso upon the floor of the Senate within the next very few days.

Mr. LUCAS. Mr. President, I am not going to prolong the argument, but I am amazed at the last statement made by the Senator from Missouri in trying to relieve himself from the previous statement that he made about the Senator from Mississippi. He says there was absolutely no dereliction of duty whatever on the part of the Senator from

Mississippi, and yet just previously to that, he stated that only a few days ago the Senator from Mississippi did not even know that he was the chairman of the subcommittee. Does not the Senator think the facts show dereliction of duty some place?

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. DONNELL. I would say, so far as I am concerned, that if the Senator from Mississippi did not know that he was upon the committee there was no dereliction of duty. I may say this—

Mr. LUCAS. Then who was derelict?

Mr. DONNELL. Just a moment.

Mr. LUCAS. Who was derelict, then?

Mr. DONNELL. Just a moment. I would say there has been no dereliction of duty, except that I think we are entitled to the list of names of those witnesses from the office of the Attorney General of the United States. I think the Senator from Mississippi acted in the utmost of good faith. Perhaps he should have known he was chairman of the subcommittee. Perhaps he should go through the docket to which the Senator from Nevada refers, but, not having done so, he acted in good faith, and, so far as I am concerned he has acted fairly by me and perfectly co-operatively. Mr. President, I am going into this matter. I will give the Senate the facts. The Senate will have them in full in the RECORD on the floor of the Senate.

Mr. LUCAS. I am sure, when the Senator goes into it, it will be in full.

Mr. DONNELL. It will.

Mr. LUCAS. There will be no question about that. The Senator keeps talking about what Tom Clark wanted to do. The Senator knows all about the complaints about the appointee in Missouri. Both the Senators from Missouri know all about the gentleman. They do not have to wait for Tom Clark to produce the witnesses. It is most unusual for the distinguished Senator from Missouri to depend upon the Attorney General for help. It would seem that the responsibility for no action upon the nomination is being shifted to the Attorney General. Let the Senator himself admit the facts, and say that he has been extremely busy with other legislative matters, including the North Atlantic Treaty, that he has attended hearings on the treaty before the Committee on Foreign Relations, day in and day out—and that he has not had the time to go into the Canfil matter as he would like to, because it will probably take weeks and months for him to do the job the way it should be done. Let the Senator admit that, and not lay the blame on Tom Clark.

Mr. DONNELL. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from Missouri?

Mr. LUCAS. I am delighted to yield.

Mr. DONNELL. I shall make no admission whatever to that effect. I have been busy. I have tried to do my work as best I could. I resent very much any imputation to the effect that I am try-

ing to throw something over on to the shoulders of somebody else.

Mr. President, what happened was this: I received word away back at the time of this incident. It was, as my colleague said, widely publicized in Missouri, and I took the initiative. I communicated with Mr. Canfil myself by telegraph to get his side of it. I got his statement on it, and I reported with a very long letter. I am going to have that in the RECORD, Mr. President, so that exactly what I communicated to the Attorney General may be seen.

The Attorney General's office, I think, already, as I recall it, had instituted an investigation in Springfield, Mo., and they were kind enough to give me the letter with what this witness said, what that witness said, and what the other witness said; 8 or 10 or 12 witnesses, I think, there were. They did not, however, give me the name of a single witness, whose name they had secured.

Mr. President, probably it would have been entirely proper—I should say it would have been—for me to have gone ahead without securing that list. But I thought when the Attorney General's office had it, it was perfectly proper that I ask for it. I did ask for it, and I have told what happened, namely, that it was denied by one representative, that the Attorney General himself said I could have it and would have it; that thereafter the Assistant Attorney General came to the Senate himself to see me, and told me he wanted to think it over further, as to whether I could have it. I will bring in what I have, in full.

Mr. LUCAS. I am sure of that.

#### THE NORTH ATLANTIC TREATY— RESERVATION

Mr. WATKINS submitted a reservation to article 3 of the North Atlantic Treaty signed at Washington on April 4, 1949, which was ordered to lie on the table and to be printed.

#### THE NORTH ATLANTIC TREATY

The Senate, as in Committee of the Whole, resumed the consideration of the treaty, Executive L (81st Cong., 1st sess.), signed at Washington on April 4, 1949.

Mr. SMITH of New Jersey. Mr. President, with the consent of the Chair, if I may, I shall address my colleagues from the desk in front of the Vice President.

The VICE PRESIDENT. The Chair granted consent for all Senators to do that last week. It is not necessary for Senators individually to make the request.

Mr. SMITH of New Jersey. I apologize for even partly turning my back on the distinguished Vice President.

The VICE PRESIDENT. As the Chair has said to other Senators, the Senator looks good from any direction.

Mr. SMITH of New Jersey. I thank the Chair.

Mr. President and colleagues, I propose to address myself informally to the matter now pending before the Senate, and particularly because I am interested in the comments which have been made in the debates heretofore on the North Atlantic Pact and its relation to military implementation. I make that statement as I open, because I have some very



strong convictions on the relationship between these two ideas. It is not necessary for me, indeed, it would be merely a superabundance of words, to say anything in defense of the pact itself, beyond what has been said by those who have spoken heretofore. The distinguished chairman of the Foreign Relations Committee brought out all the facts pertaining to the pact. The report of the committee went into detail, and as I was a party to the report, I endorsed everything in it. Even though I was away from the Senate, I was able through the kindness of the staff to go over the report paragraph by paragraph. I have been enthusiastically in support of ratification.

To add to the other splendid presentations, my distinguished colleague the Senator from Michigan [Mr. VANDENBERG], made what seemed to me to be an unanswerable argument in support of the treaty from the standpoint of its ratification and from the standpoint of what it implies to the future, not only of America but of the world. On a previous occasion I made some reference to the relationship of the treaty to the Monroe Doctrine. I shall not repeat that at this time.

But what I want to address myself to is the splendid arguments made by our colleagues here who have opposed or questioned the advisability of ratification of the treaty. I refer first to the distinguished Senator from Vermont [Mr. FLANDERS], and then to the distinguished Senator from Missouri [Mr. DONNELL], and to the distinguished Senator from Utah [Mr. WATKINS]. The Senator from Vermont in his discussion was troubled by something that has troubled me enormously, namely, the implications of the hot war and the cold war, and his being unable to come to any conclusion in regard to his own position on the treaty itself until he obtains answers to certain questions from the administration.

I have been troubled over the same things which have troubled him, but I do not arrive at the same result. I find myself enthusiastically and unconditionally in support of the treaty. I am not troubled by the language of the treaty or by the question which has been so strongly stressed by some of my colleagues, especially the Senator from Missouri [Mr. DONNELL] and the Senator from Utah [Mr. WATKINS], or by the question raised by the distinguished Senator from Ohio [Mr. TAFT], implying that a vote for the treaty commits us to vote for some sort of military implementation because of the language of Article 3 and, I assume, of Article 9. For purposes of the RECORD I shall read at this point the language of article 3:

In order more effectively to achieve the objectives of this Treaty, the Parties, separately and jointly, by means of continuous and effective self-help and mutual aid, will maintain and develop their individual and collective capacity to resist armed attack.

As I read that article, Mr. President, I do not feel that it implies such aid as may be continuously developed as being necessarily military aid, even though the

expression "armed attack" is used. Certainly effective self-help can be understood by us all; in that field we are encouraging other countries to take care of themselves, and we are expecting them to do so as we go along with mutual aid. But what kind of mutual aid? What do we mean by "individual and collective capacity"?

It is my own judgment that our thinking has been too narrow in dealing with the whole North Atlantic Treaty. I can say, frankly, that had it simply been what might be called a military alliance to resist aggression, I would have been hesitant about joining with it, important as I might have felt it might be, because I am one of those who are definitely and unalterably opposed to the continuous expansion of competition in military armaments. I welcome with enthusiasm the statement of the distinguished Senator from Michigan in his remarks that he looked forward to the immediate consideration of the reduction of armaments all around, and I look forward with enthusiasm to movements which may be made, both in connection with possible changes in the United Nations Charter, when the time comes which is appropriate for that, and other steps to make possible reduction in armaments.

So I feel a hesitancy in agreeing with the suggestion that mutual aid and the maintenance and development of individual and collective capacity to resist armed attack necessarily mean military aid, because I feel that the whole field of the approach to resistance to totalitarianism, which we fear, is in areas other than merely military aid. Military aid is probably the least important of all, although we have tended to exaggerate it.

Let us consider for a minute other parts of the treaty, in order to give me an opportunity to make plain the point I am seeking to make. I am very much impressed especially by the preamble of the treaty, and article 2, neither of which has anything to do with military aid. They do strike a note, however, which means that we are trying to say that we propose to defend our so-called western tradition, which is the culmination of a thousand years, certainly, for the Anglo-Saxon people, of blood, sweat, tears, and suffering, in order that the sacred rights of the individual may be preserved. Of course if it is necessary to preserve them by war, we can do so; but there are other ways to protect those sacred traditions.

The preamble of the North Atlantic Treaty, which I shall read for the purposes of the RECORD, is as follows:

The parties to this treaty reaffirm their faith in the purposes and principles of the Charter of the United Nations and their desire to live in peace with all peoples and all governments.

They are determined to safeguard the freedom, common heritage, and civilization of their peoples, founded on the principles of democracy, individual liberty, and the rule of law.

They seek to promote stability and well-being in the North Atlantic area.

They are resolved to unite their efforts for collective defense and for the preservation of peace and security.

They therefore agree to this North Atlantic treaty:

In article 2 the following language appears:

The parties will contribute toward the further development of peaceful and friendly international relations by strengthening their free institutions, by bringing about a better understanding of the principles upon which these institutions are founded, and by promoting conditions of stability and well-being. They will seek to eliminate conflict in their international economic policies and will encourage economic collaboration between any or all of them.

Mr. President, the preamble and article 2 of the treaty mean something to me far more than do the other articles which have been stressed here and which seem to be the basis of a feeling that we need to emphasize especially military aid.

In the economic field, in dealing with the world situation, we have charted, as I see it, a magnificent course in our ECA operations. The Senators who discussed the formulation of the treaty all agreed that there was nothing in the military implementation implied in the treaty which could take precedence over the ECA operations. I emphasize at this time that, while I am not discussing at the moment the question of dollars and cents, if it came to a question of dollars for making the ECA operations completely successful, I would look upon it as a far more important investment for us, in order to strengthen the other nations economically so as enable them to be self-sustaining, as a matter of pure defense against aggression, than simply to expend billions of dollars in military aid. If I could make a choice, my choice would be the ECA operations. Nothing that could have been done could have contributed more to the strength of our European friends for peace, or, for that matter, for war. I feel that the ECA is a *sine qua non* of the continuance of our foreign policy.

I pass from the economic field to the field of ideas, to the ideology we are presenting to the world. Frankly, I feel frustrated. It seems to me we have failed miserably in this area, though we have succeeded in the economic area. The central battle to come in the world, as my distinguished colleague from Vermont [Mr. FLANDERS] pointed out, is not a hot war. I am absolutely convinced that a hot, shooting war is of no interest to the Communists. They are engaged in a cold war, carefully planned, for the capture of men's minds. They are working to change the thinking of the world. They are working to break down our traditions by trying to offer to the world a different kind of ideology, one which they feel will appeal to masses who are disrupted, who are in chaos, and who are in trouble. If we follow their tactics we will see that in every instance they have moved into those areas in which they could bring about destruction, despair, and the infiltration of their new materialistic and atheist doctrine. I cannot help but think we have "missed the boat," to use a slang expression, in not recognizing that the cold war of ideas is the

real issue before the world today. I cannot help but be sarcastic when I recognize that we have thought in terms of 15-plus billions of dollars for Military Establishments and military strength, and have even cut down requests for \$36,000,000 for our program to sell the American western tradition to the other countries of the world—a program to explain to the nations of the world which we are trying to aid the reasons for the ECA operations. We cut the appropriation for that purpose from \$36,000,000 to about \$32,000,000, as contrasted with the billions for defense.

Mr. President, what I am trying to bring out is my insistence, as one who favors unconditionally the North Atlantic Treaty, and urges its ratification, that I am not in any way, shape, or manner bound by any commitment for a military program of which I may not be able to approve. I wish to say to the Senator from Vermont [Mr. FLANDERS], the Senator from Utah [Mr. WATKINS], the Senator from Missouri [Mr. DONNELL], and the Senator from Ohio [Mr. TAFT], that as one member of the Committee on Foreign Relations I can vote for the ratification of the treaty without being committed to any program for its implementation until I know what that program is, until I see it in its large perspective, in all its large areas in which I think we should be moving in order properly to implement the treaty.

When we speak of continuance of self-help, I point with pride to what we have done in that field in the ECA operations, and in other ways in which we have been trying to help in the recovery of foreign peoples and put them on a self-help basis as the most effective means of protecting them against aggression, either in a military way or in a subterranean way.

When we say we will maintain and develop their individual and collective capacity to resist, we do not have to do that solely by force of arms. We are doing it every day when we continue trying to work with them to solve their fiscal, their economic problems, and their other problems. I pay the greatest possible tribute to Mr. Paul Hoffman and his staff in the ECA. I urge support of what those men are doing to win the war, not by force of arms, but by force of the right kind of approach, of help as between nation and nation.

So, Mr. President, when we come to the third method of resisting, we appear to have spared no expense. We are thinking in terms of the most stupendous military budget we have ever had in our history. The suggestion is being made that in addition to that we must have another large appropriation in order to put the nations who are parties to the treaty on a sound defensive basis.

I am not saying I am opposed to that; I am merely saying the two things are not related. I want to take the spotlight off additional military strength and put the spotlight on what may be called the social, economic, spiritual values which go into making a real defense against aggression. We can win the hot war completely, we could have World War III and win it, and still lose the fundamental advantage, in the cold war going on, of af-

fecting men's minds and making the world think differently.

Mr. President, our foreign policy today is dangerously out of balance in its dominating emphasis on military strength. I think this debate is out of balance because it puts the dominating emphasis on military strength. We have been so preoccupied with preparing for a possible hot war that we are in grave danger of losing the cold war.

The Atlantic Treaty, with its magnificent focus on the ideas of protecting our tradition, a great tradition, the wonderful western tradition, is a master stroke in the cold war. On this basis I have supported it from the first, and shall continue to do so, for the cold war is fundamentally a war of ideas, a contest for the minds and allegiance of men.

All I am trying to do in my remarks today is to make as strong a differentiation as I can between the insistence that we must have military implementation and the more important thing, that we should build up the other forces which are the real ground work for any possible resistance to the creeping paralysis that is spreading over the world. That is why it is so disturbing to hear the treaty discussed as nothing but a great achievement in cold military strategy. That is why it is so disturbing to be told that the treaty is nothing without a new flow of weapons to implement it. We may need weapons; I am not saying I shall not support a military program, but I want to get the emphasis off that. Somewhere in our thinking we have lost the trail. Surely the will to resist attack does not spring from mere possession of weapons. It springs from possession of ideas, of moral principles, of faith and loyalties. If we have these and nourish them, we strengthen ourselves for peace, as well as for war, if any dictator in his folly should force war upon us.

Let me say here that it is my firm conviction that if we could have foreseen what we now know, and if we had had an Atlantic Pact in 1939, and Hitler had known that an attack on one of the contracting countries was an attack on all, even though he knew we were not prepared, he would not have dared to invade Poland.

The psychological and moral effect of the fact that the nations are grouped together and have said, "We are all for each one of us, and we propose to take care of those who value the western tradition," is a most important part of this pact, and consequently emphasis need not be put on military implementation.

Ideas are the wellsprings of action, more powerful than guns or bombs, as the Communists well know. They have beaten us, up to date, with their ideologies, and we have to face them with the same kind of ammunition. The ideas we cherish are the very heart of the North Atlantic Treaty, without which it is nothing. Overshadow these ideas in a blind drive for military power, and we do not strengthen the treaty or the United Nations—we undermine both.

Let me say, in passing, that I feel the North Atlantic Treaty is a bulwark of strength to the United Nations, which is in a vale of gloom because of the

unfortunate use of the veto by the Russians. We are not only not bypassing the United Nations, we are very definitely bulwarking the whole principle of the United Nations by making this pact, which puts us in position at least to move in the direction of preserving the peace of the world. As has been said earlier in the debate, we are erecting danger signals—"Stop, look, and listen"—"Don't enter here"—"Observe the red light."

It is important to widen our perspective in looking at this whole matter. Let us ratify the North Atlantic Treaty, with all its implications of mutual aid, mutual help, mutual thinking, mutual explaining to the world. Let me say here that the suggestion comes to me that when we consider our "voice" program, we might well consider the position of the North Atlantic group, because they may want to be speaking together as to why they joined in this North Atlantic Treaty. Now, before it is too late, let us subordinate this quest for military power to other powers, far more potent and more befitting our American genius: our power in material things, and, above all, our power in the ideas that move men to action, the ideas which inspire, the ideas which underlie the foundation of and which led to the establishment of this great country, the faith which has brought it to the position it now occupies, and the enormous value we place on the sacredness of the individual man. That has been our religious tradition, it has been our historical tradition, it oozes out from all the debates of the constitutional convention which wrote the great United States Constitution, and of course it is the heart and substance of the first 10 amendments to the Constitution, known as our American Bill of Rights. It is those things, which have become imbedded in the thinking of man, which we are really seeking to preserve, and we lose the battle if we simply make ourselves strong enough to win physically, but neglect the spiritual values. They are as important as that.

As I have stated I am not going to say I will not support some program for military implementation if in the judgment of our leaders it seems wise. I am saying that I am not bound to support such a program and I shall not commit myself to support it until I feel in my heart that it is made secondary and subordinate to the main thing we are doing in this treaty, which is to give a spiritual leadership to the world, and to tell the world: "No, we are not going to participate in a race for armaments. We can take care of ourselves. We are going to move ahead for the cooperation of mankind for the preservation of peace."

Mr. President, I do not know whether the approach which I have tried to state briefly in these few remarks will be convincing to those who may hesitate to support the treaty because they cannot feel enthusiasm about going along with military implementation, but I submit the point of view of one member of the Foreign Relations Committee who feels so strongly on the subject that I am prepared to say that, unless the situation



appears to me to meet my convictions on the relationships of ideas to world force, I would not hesitate for 1 minute to vote against the military implementation. I feel no moral obligation or otherwise.

I can say in explanation that when this matter first came up I felt this way, and in our hearings I asked the Secretary of State whether there were any commitments of any kind to any of the nations which it was hoped would come into the Atlantic Treaty, whether there was anything from which they could expect that we would give them any sort of military implementation or aid. His reply was that there was no definite commitment of any kind, nature, or description, and that there was no moral obligation, and if I should vote entirely against the military implementation plan I would not be taking my country down the river along the line of not meeting what would be looked upon as a commitment. So I feel that the chairman of the committee and the Senator from Michigan [Mr. VANDENBERG] certainly are correct in stating that by voting for the ratification of the treaty we were not committed to vote for the military implementation program when it was presented later.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. SMITH of New Jersey. I yield.

Mr. VANDENBERG. I should like to submit to the Senator and for the Record an exhibit which is on the precise point the Senator is now discussing. The Senator is familiar with the fact that I have consistently insisted that there was complete freedom of action left in Senators to deal with all questions of military aid on their own conscientious responsibility. The Senator also is familiar with the fact that I have felt that it was most unfortunate to take the emphasis in this situation off the potentials inherent in article 5 and to transfer it to the specifications in article 3.

In my address to the Senate on the subject I inadvertently referred to the military-assistance program which we are given to understand is immediately to challenge our attention after the pact has been approved. I inadvertently referred to that program as being "proposed under article 3 for the next year." I want to make quite plain that it was not my intention to identify the military-assistance program, which I understand is to be presented shortly, with the specific obligation under article 3, because any such relationship would have negated the other position which I took.

In order to make the situation wholly clear, I addressed a question to the State Department on Saturday as follows:

Under article 9 of the North Atlantic Treaty specific provision is made for the procedure by which article 3 of the treaty is to be immediately implemented.

That is the language of the last sentence in article 9. Continuing the question:

Why should Congress be asked to implement article 3 until it has the benefit of the measures of implementation which shall be recommended under article 9?

In other words, it has constantly seemed to me that article 9 specifically

sets forth the purpose of the advisory council to assume the responsibility for making recommendations in respect to article 3.

I have the following answer from the Department, and with the indulgence of the Senator from New Jersey, if he will permit me, I should like to read it:

The military-assistance program which the administration intends to submit to the Congress at this session is not a program for implementation of the North Atlantic Treaty. The program would be necessary even if there were no North Atlantic Treaty just as the treaty would be necessary even if the military-assistance program had not yet been formulated. The military-assistance program, both in inception and conception, has its own validity and necessity, rooted in basic elements of our foreign policy. It is true that some of these elements of our foreign policy are common to those which underlie the North Atlantic Treaty. The principal element involved is that of the national interest of the United States in insuring the security of certain free nations.

However, the military-assistance program covers countries which are not members of the North Atlantic Treaty and includes certain countries for which military-assistance programs have been in effect for some time. It is separate from the treaty, except that the treaty and the MAP both serve the national interest and security of the United States and in this way supplement each other.

When the military-assistance program is presented to the Congress part of its justification will involve an explanation to the Congress concerning the elements of self-help and mutual aid which underlie the development of the military-assistance program, particularly of the Brussels powers. Since the inception of the Vandenberg resolution this Government has made clear that any military-assistance program would have to be based on continuous and effective self-help and mutual aid.

Any future military-assistance programs involving Atlantic Pact countries will be prepared and submitted to the Congress on the basis of recommendations which will be made by the organization to be established under article 9 of the treaty.

In other words, it seems to me that the Department is plainly saying precisely the same thing in net result which the rest of us have been saying and which the able Senator from New Jersey has been saying this afternoon. The military-assistance program which we are given to understand will be shortly submitted to the Congress was devised ahead of the evolution of the pact, and will have to stand on its own basis and on its own merits for whatever support it can justify in response to the theme that we recognize the existence of a self-help and mutual-aid program between these congenial nations which are trying mutually to protect their independence against armed aggression. But, so far as specific obligations under the treaty are concerned in respect to article 3, they arise only when ultimate recommendations based on multilateral recommendations are made under article 9 through the operation of the treaty itself. And at that point the only obligation upon any Member of the Senate is to determine whether or not the recommendations thus made impress him as being in line with the national security of the United States as a part of the North Atlantic community,

and therefore the security of the community itself.

Mr. SMITH of New Jersey. I thank the Senator. I think he has made a very valuable contribution.

I would be happier over the communications from the Department of State and the administration if they indicated some recognition of the fact that they are rather anticipating the possibility of a third hot war, and overlooking the possibilities today in dealing with a present cold war, and dealing with the area of ideas which we ought to be propagating in order to meet the real issue before us, because we are now being defeated in that field.

I can illustrate what I mean by referring to China. I have been very critical of the lack of a Chinese policy. What bothers me is that we seem to feel that unless we are prepared to give exceedingly great military aid, there is nothing we can do for China. I say that there is everything in the world we can do for China, whether or not we give her further military aid. For 50 years we have been the closest friend of the Chinese people. Their freedoms have been due to us. I refer to the open-door policy, and other things. The disposition of the Boxer indemnity fund illustrated our interest in their young people. We have educated thousands of young Chinese in their schools and in our schools. Yet when we cannot give any further military aid we throw up our hands and say that there is nothing more to be done for China. It is that area which we are neglecting in our foreign policy, the area of ideas, the area of our western tradition, for which I am making my plea.

Mr. FLANDERS. Mr. President, will the Senator yield?

Mr. SMITH of New Jersey. I yield.

Mr. FLANDERS. I thank the Senator from New Jersey for having made, during the past 5 minutes, one of my favorite speeches, and for making it more effectively than I could have made it.

Mr. SMITH of New Jersey. I thank the Senator.

Mr. FLANDERS. I should like to ask the Senator from New Jersey whether there is not something more involved in the question whether the Senate is bound to consider military assistance in the same thought and in the same breath with the Atlantic Pact. Must we not also consider whether the United Nations, which have signed the Atlantic Pact, are expecting military assistance as the normal concomitant of the signing of the pact? It seems to me that we must consider not only ourselves, but the impressions and expectations of the other signatories to the pact. I am somewhat disturbed about what seems to be the deep expectation on their part, as indicated in many ways, that implementation by arms is the automatic concomitant of the signing of the treaty.

Mr. SMITH of New Jersey. Am I to gather from the Senator's question that he feels that that is the interpretation being placed upon the treaty at the present time by the other countries?

Mr. FLANDERS. I judge so. Let me cite a concrete example by reference to an article in yesterday's New York Times from a correspondent in Norway, which

seems to indicate that the people of that country are somewhat disturbed over the slowness of the idea of rearmament and the hesitation of the Senate on that element.

Mr. SMITH of New Jersey. I saw that article, and I can well understand how possibly Norway, Denmark, and other countries in the Scandinavian area which are pretty close to trouble, if trouble comes, would be alarmed; but I think those countries have gained more by the North Atlantic Treaty, with or without the addition of arms implementation, than they ever could have had if they were left alone. I believe that the very fact that we are with them, the psychology of an attack on one being considered an attack on all, will be the greatest possible deterrent to an attack on any of them. They may be concerned about it, but I think probably their vision is wide enough to enable them to realize that the United States intends to carry through in the way it feels is the right way to carry through in the implementation of the pact. I am not arguing that there is no need for implementation. I am merely raising the question as to the kind of implementation. I think the Senator from Michigan had that point in mind in presenting the statement from the State Department.

Mr. FLANDERS. Mr. President, there is one further question which I should like to raise with the Senator from New Jersey, and that is the question whether the pact does or does not strengthen the United Nations. That is one way of putting it. Another way of putting it is whether it does or does not recognize the weakening of the United Nations. That is the other way of putting the question.

Mr. SMITH of New Jersey. My reply to the Senator is a very clear-cut, definite conviction that not only does it not weaken the United Nations, but for the moment it is trying to meet the problem at the place where the United Nations actually has already fallen down, namely, in the misuse of the veto by Russia. We know that, and we are trying to meet that failure in this particular area by enabling other nations to get together. I think it is a great step forward in strengthening the whole spirit and purpose of the United Nations.

We say distinctly in the pact that when the time comes when the Security Council can take care of this matter, we will withdraw at once. The second paragraph of article 5 reads as follows:

Any such armed attack and all measures taken as a result thereof shall immediately be reported to the Security Council. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security.

In other words, we are temporarily trying to help strengthen the responsibility of the United Nations in the field in which, unfortunately, because of the veto by Russia, it has been unable successfully to function.

Mr. FLANDERS. Mr. President, if I may ask one further brief question, I believe that my question can be elucidated and illuminated by the two Mem-

bers of our body who participated in the San Francisco meeting.

I am wondering, I will say to the Senator from New Jersey, whether there was in the minds of those who helped to draft the Charter of the United Nations the slightest thought that article 51 was ever expected to carry such a load as it is required to carry when the North Atlantic Treaty and the United Nations procedure are joined. I should be surprised if the slightest thought of its having to carry such a load ever entered the minds of those who drafted the charter; but I may be mistaken.

I should like to close my questioning of the Senator from New Jersey with the brief statement that nine other Senators besides myself believe that under the resolution submitted last week by the 10 of us it would be possible to strengthen the United Nations under the Atlantic Pact, and that it would be possible to provide cooperative military assistance in a way which would strengthen the United Nations instead of weakening it. I hope that the Foreign Relations Committee will give due consideration to the proposals which we have made.

Mr. CONNALLY rose.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. SMITH of New Jersey. I am glad to yield to the Senator from Michigan. I notice that the Senator from Texas [Mr. CONNALLY] rose a moment ago.

Mr. VANDENBERG. I simply wish to answer the question submitted by the Senator from Vermont, as to whether it ever entered the heads of the authors of article 51 at the Golden Gate that it would be used in any such fashion as is now contemplated. I invite his attention to the fact that in connection with the promulgation of article 51, at that time the South American and Central American countries were dissatisfied even with article 51, except as the then Secretary of State, Mr. Stettinius, made a public statement promising to assemble the Rio conference for the purpose of doing the precise thing which was ultimately done at Rio, which was to use article 51 in respect to the preparation for individual and collective self-defense under article 51. So I think the Senator may be reassured that this is not an incorrect philosophy.

I should also like to suggest to him, knowing what I am sure is his profound confidence in his distinguished fellow citizen from Vermont, Ambassador Warren Austin, that he should get some unctious that he can lay to his soul from the Ambassador's earnest recommendation that the North Atlantic Pact, far from in any degree undermining the United Nations, is in his opinion of profound utility in the promotion of the attainment of its objectives.

Mr. FLANDERS. Mr. President, if the distinguished Senator from Michigan will speak of it as a prop, I am in entire agreement with him.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. SMITH of New Jersey. I yield.

Mr. CONNALLY. A while ago question arose whether, as applied to article 51, the treaty would interfere with the

United Nations or would weaken it. Let me ask the distinguished Senator this question: If any war anywhere can be prevented—which is what we are trying to do by this treaty—is not that of assistance to the United Nations, and does it not lighten its burdens and cares and critical moments?

Mr. SMITH of New Jersey. Of course, I agree entirely with the Senator. I have taken the position right along that by this treaty not only do we not bypass the United Nations, but we supplement what it has to do; and the spirit of the treaty simply reeks with the spirit of the United Nations Charter. The treaty takes exactly the same approach.

Mr. CONNALLY. Certainly it is fundamental that we expect the treaty to prevent war in the North Atlantic area. We think the treaty will prevent conflicts. If they are prevented, the United Nations is strengthened. So the treaty ties in with the authority under the United Nations.

So far as article 51 is concerned, let me say to the Senator from Vermont that article 51 was not a creature of the United Nations, it was not a creature of the Charter of the United Nations. It is simply a recognition of the fundamental fact that every nation has the superior right to act in its own defense, either individually or collectively.

So we did not get any authority from article 51. The authority has always been there, and it is there now. Article 51 simply says that the United Nations will not interfere with that fundamental and inherent right.

I thank the Senator.

Mr. SMITH of New Jersey. I thank the Senator from Texas.

Mr. President, I shall yield the floor, unless there are further questions.

Mr. DONNELL. Mr. President, will the Senator yield for a question?

Mr. SMITH of New Jersey. I yield.

Mr. DONNELL. The Senator from Michigan referred to the fact, as he stated it in substance, that the conception and in some part development, I think, of the military assistance program occurred before the conception and development of the pact. I noticed the same thought was expressed by the State Department, in Publication No. 22, which was issued in May of this year, in which it is said that the military assistance program was conceived and developed separately and somewhat in advance of the formulation of the pact. I wish to ask the Senator from New Jersey one or two questions.

First of all, in the event the North Atlantic Treaty is not ratified—I take it the Senator thinks that is very unlikely, but in the event it is not ratified—does the Senator in his best judgment think the arms program providing for \$1,030,000,000 of expenditures for the nations signatory to the pact would then be presented to Congress, for it to proceed with?

Mr. SMITH of New Jersey. Mr. President, I have no idea what the policy of the administration will be. If in the publication to which the Senator from Missouri has referred it is stated that the arms program is entirely and totally



independent of the pact, then it is conceivable that it might be presented.

I wish to make it clear that I am not prepared to support it if it is presented. I wish to make that clear in my remarks today.

I am not one of those who think we should constantly be putting the spotlight on expenditures for military preparedness, and not give attention to the other measures for which I have been arguing.

Mr. DONNELL. I noticed that the Senator said it is conceivable that the arms program might be presented in the event the pact is not ratified. Is the distinguished Senator willing to hazard an opinion that it will be presented to Congress in the event the pact is not ratified?

Mr. SMITH of New Jersey. I do not know. If the Senator from Missouri is able to prognosticate as to what the administration will do from day to day, he has more skill than I possess.

Mr. DONNELL. Of course, I do not undertake to allege the possession of any such degree of prophecy.

Let me ask this question: If it be true—although I do not state it as a fact—that the military assistance program was conceived and developed somewhat in advance of the formulation of the pact, would it not be rather logical and to be expected that it would be presented in advance of the pact, having been developed before the pact, rather than to wait until after we determine what shall happen to the pact in the Senate?

Mr. SMITH of New Jersey. Do I correctly understand from the Senator's question that he is implying that it should have been presented first?

Mr. DONNELL. No. My question is this: If the military assistance program was conceived and developed before the pact itself was conceived and developed—as we have been assured it was, for the State Department publication uses these words:

The military assistance program was conceived separately and somewhat in advance of the formation of the pact—

Assuming that to be a fact—and I am not questioning the statement—if it was thought by those who conceived these two programs that the one was not dependent on the other, would it not have been more logical and more to be expected that the program which was first conceived and first developed would have been the first one to be presented to the Congress, rather than to wait until after we determine whether the pact, which was the second one to be formulated, shall be acted upon?

Mr. SMITH of New Jersey. I cannot speculate as to that. I do not know what went on behind the scenes in developing both these programs.

The only hearings I have attended are the ones relating to the North Atlantic Treaty and its formulation. We have not had any hearings as to military implementation, unless I missed them during my illness. But so far as I know, there have been none.

I understand that it is proposed to present some kind of implementation plan, which I am told will go to the Foreign

Relations Committee or may go to the Armed Services Committee—I do not know to what committee it will go—which may follow the ratification of the treaty.

Mr. DONNELL. Mr. President, will the Senator yield for a further question?

Mr. VANDENBERG. Mr. President, before the Senator goes to a further question, may I be permitted to comment on the point which has been under discussion?

Mr. SMITH of New Jersey. I shall be glad to have the Senator do so.

Mr. VANDENBERG. There has been very sharp difference of opinion in the discussions regarding the sequence which should be observed in the presentation of these two subjects. I think it is only fair to the President and to the State Department to say that they have been insisting that they were anxious to have the House of Representatives proceed some time ago with the military-assistance program. What governed the ultimate judgment, I am not prepared to say. I can only give the Senator my own very earnest feeling, which I have expressed on repeated occasions. That feeling was in the first instance that the general outline of information regarding any military-aid program which was to be submitted this year should be available to Congress for its consideration, for its over-all judgment, if, as and when it was asked to deal with any other phases of the problem as involved in the North Atlantic Pact. But my own personal feeling is that it would have been most unfortunate for the military-aid program to be given priority in the congressional consideration, lest it seem to assume a priority, which in the opinion of the Senator from Michigan it does not remotely possess.

As the able Senator from Missouri knows, the Senator from Michigan has never committed himself in any way to any detailed program of military assistance whatever, other than to assert his belief that the fundamental theory of article 3 is sound, namely, that partners in a great enterprise of this character would do well to gear themselves together against ultimate jeopardy. It seemed to the Senator from Michigan that it would be most unfortunate to subordinate the great potentials in the North Atlantic Pact to the suppositions which may be involved in some military-aid program which is not the direct outcome of the pact itself.

Mr. DONNELL. I thank the Senator for his statement. Mr. President, will the Senator from New Jersey yield for one or two further questions?

The PRESIDING OFFICER. Does the Senator from New Jersey yield further to the Senator from Missouri?

Mr. SMITH of New Jersey. I am glad to yield further.

Mr. DONNELL. I realize the Senator has been ill, and I do not want to tax his strength. If he prefers that I not ask further questions, I shall not do so.

Mr. SMITH of New Jersey. The Senator may proceed.

Mr. DONNELL. I shall, I trust, not extend the questioning unduly. Does the Senator from New Jersey understand that the Secretary of State or the De-

partment of State takes the position that there is no obligation under article 3 of the North Atlantic Treaty to provide military assistance or to make contribution of military equipment?

Mr. SMITH of New Jersey. No. I am not expressing the position of the Secretary of State. I am expressing my own position with regard to it and my own understanding and opinion. I assume that the Senator from Missouri is reading or has been reading from the document, with which I am familiar, issued by the State Department, which very clearly relates the two together. I merely do not agree with the document, and in voting for ratification of the treaty, I do not feel myself bound by the opinion of someone in the State Department expressing an argument in favor of supporting the military program.

Mr. DONNELL. I may say I am greatly interested in the Senator's comment on the publication of the State Department, and in his conclusion that the Department by this publication links the two programs together.

Mr. SMITH of New Jersey. I think that publication does, yes.

Mr. DONNELL. I am very much interested to note that, because it is directly the conclusion at which I had arrived, and yet throughout the document there is a most careful attempt in language to differentiate and separate the two, and a reiteration of the fact that they are separate. However, I think the conclusion is irresistible, as the Senator from New Jersey has concluded from this document, that the Department in fact does link the two together.

The question I wanted to ask was this: On page 4 of this document issued by the Department of State, in May of this year, it is said:

Article 3 does not obligate the United States to provide any definite amount of military assistance or to make any specific contribution.

Does the Senator interpret that to imply in the slightest that article 3 fails to obligate the United States to provide military assistance or to make a contribution of that type? Or does it simply mean, as it says, that the article does not obligate the United States to provide any definite amount of military assistance? I myself personally underscore the word "definite"; the word is not underscored in the booklet. Does not the statement in the Department of State's publication mean simply, as I say, that article 3 does not state a definite amount or a specific contribution, but merely implies that there is an obligation? Does it not follow from the next sentence, and is it not perfectly clear, that the Department does consider that there is an obligation, because, after stating, as I have just read, that article 3 "does not obligate the United States to provide any definite amount of military assistance or to make any specific contribution," the document continues:

It does, however, obligate the United States, as it obligates every other member of the North Atlantic Pact, to adhere to the principle of mutual aid and to exercise its own honest judgment in contributing what it most effectively can to implement the mutual-aid program.

Mr. SMITH of New Jersey. Does that necessarily mean military aid? I think, as the Senator has said, this document of the State Department implies military aid. I have taken the other position, that it does not necessarily imply it. We could give military assistance, as we saw fit. I do not suppose the Senator from Missouri feels bound by this brief. It is practically a brief from the State Department, supporting some principle of a military-aid program. The Senator does not feel bound by that, does he?

Mr. DONNELL. I may say in response to the question, of course, I do not feel bound by the statement of the State Department; but I think it binds the State Department as to its opinion as to what the treaty means. I call to the attention of the Senator the fact that immediately following what I have read, after saying that article 3 does not obligate the United States to provide any definite amount of military assistance—and again I myself emphasize the word “definite”—or to make any specific—and I emphasize the word “specific”—contribution, it does say what I have read to the effect that it obligates the United States to adhere to the principle of mutual aid, to exercise its own honest judgment by contributing what it most effectively can to implement the mutual-aid program. It then follows with this expression of the opinion of the Department:

It is the opinion of the executive branch of this Government that the United States can best contribute to the collective capacity for defense of the North Atlantic area by providing military assistance, and it is the recommendation of the executive branch that it should do so.

The Senator recalls those observations, does he not?

Mr. SMITH of New Jersey. Oh, yes; those are their recommendations.

Mr. DONNELL. I thank the Senator. Mr. SMITH of New Jersey. But I do not think “mutual aid” and “collective capacity” necessarily, from my point of view, imply military assistance, although I assume there will certainly be an investigation and study of the whole world area at the strategic points where we feel, for our own protection, that something should be done, that that would be the logical thing to do. But merely because these statements are made by the State Department I do not believe that we are bound, as members of this important legislative body, to accept their construction. This debate will help to determine the matter of construction.

I hope I have made a little contribution to the debate this afternoon by pointing out at least as one member of the Foreign Relations Committee that I feel there are involved other things than the military-aid program, and that emphasis should not be laid on that item alone.

Mr. LODGE. Mr. President, will the Senator yield?

Mr. SMITH of New Jersey. I yield to the Senator from Massachusetts.

Mr. LODGE. In that connection, should it not be borne in mind that this country is engaged in a number of different programs, all having the same objec-

tive of helping the other nations become strong and healthy again, so that they can stand on their own feet in time of peace, and, in the tragic event of war, so that they can stand on their own feet then, and thereby indirectly help us? The Marshall plan, for instance, is one effort of that kind, and there is of course, a relationship between the Marshall plan and the North Atlantic Pact, in the sense that they both aim in different ways to build up the western community. Yet we never hear it suggested that, because a Senator voted for the Marshall plan, he is obligated to vote for the North Atlantic Pact. The two things are different ways of getting at the same objective.

In the case of military assistance, we have been engaged in military assistance beginning with the very end of the war. We have been doing it all over the world, in different ways, at different times and places, and that is a separate program. Certain arguments can be made in favor of it. Similar arguments can be made in favor of the North Atlantic Pact. Of course, they are related in general.

Is not that a pretty fair statement of the situation which we confront?

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. SMITH of New Jersey. If the Senator from Texas will let me suggest in connection with the statement of the Senator from Massachusetts, I have been trying to point out in my remarks what the Senator has been saying, that there are other ways in which mutual aid can be given. It is all a part of a large program.

Mr. LODGE. Yes.

Mr. SMITH of New Jersey. All I have been protesting against is putting the spotlight on the military aspects of it, when the whole area of our cold war as well as a possible threatened hot war is before us to be dealt with. I have been criticizing the administration for not having given more attention to the cold-war aspects in all those areas where the western tradition could be preserved, could be presented, could be dramatized as a part of the defense against communistic infiltration.

Mr. CONNALLY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Texas?

Mr. SMITH of New Jersey. I yield.

Mr. CONNALLY. I think what the Senator from Massachusetts said was quite pertinent. I should like to invite his attention to the fact that arms implementation does not have to depend on the treaty, and that, without such a treaty, we granted assistance to Turkey and Greece. We have also given arms and equipment to certain South American countries.

Mr. LODGE. And to France, so far as that is concerned.

Mr. CONNALLY. And to France. So the two are not tied in necessarily at all. Even if the treaty were not ratified—though I do not, of course, anticipate that—we could continue the military assistance program, if we were so disposed. Yet there is a great hullabaloo created regarding the idea that they are inter-

dependent, and if we have one we have got to have the other. I think it is quite pertinent for me to make these observations on that point.

I agree with the distinguished Senator from New Jersey that military aid is not the only thing in this treaty. There are also good will and mutual assistance, which may be manifested in a number of ways other than by arms; and good will and mutual assistance should continue. This treaty is not based on the force of arms. It is based on the theory that it would have such a deterrent effect on an aggressor that he might never make an attack, that there might never be a war, by reason of the strong knowledge on his part, if he knows anything at all, that a violation of the Treaty by armed attack would raise the resistance of every one of the 12 nations which are parties to the treaty.

I thank the Senator very much.

Mr. SMITH of New Jersey. I agree with the Senator from Texas.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. SMITH of New Jersey. I yield.

Mr. CAPEHART. My question is this: If I vote for the North Atlantic Treaty am I obligated, either morally or otherwise, for the arming of the nations which are parties to the treaty?

Mr. SMITH of New Jersey. If I may say so to the distinguished Senator from Indiana, for an hour and 20 minutes I have been trying to state my position that a vote for the ratification of the treaty commits me in no way, shape, or manner to vote for military implementation.

I yield the floor.

Mr. GILLETTE. Mr. President—

Mr. CONNALLY. Mr. President, will the generous Senator from Iowa yield to me for a moment on another matter?

Mr. GILLETTE. It will be a pleasure to yield to the Senator from Texas.

DEATH OF GOV. BEAUFORD H. JESTER, OF TEXAS

Mr. CONNALLY. Mr. President, in a spirit of sadness I announce to the Senate and to the country the death of the distinguished Governor of Texas, Beauford H. Jester. He was in a Pullman compartment in the city of Houston and, this morning, was found to have passed away during the night.

Governor Jester had a distinguished career in World War I as an officer in the American Expeditionary Force. He was a man of fine ability, a man of pleasing personality, and had reached a distinguished place in the public affairs of the State of Texas. He had been a member of the railroad commission of that State, and was Governor at the time of his death.

I felt that I should announce his death to the Senate and to the country that Texas is grieved and sorrowed at his passing.

Mr. DONNELL. Mr. President, will the Senator from Iowa permit me to make a very brief statement?

Mr. GILLETTE. I yield for that purpose.

Mr. DONNELL. Mr. President, I was shocked indeed to learn from the lips of the Senator from Texas of the death of



Governor Jester. It was not my privilege to have known him long or intimately. I met him through two contacts, one through a fraternity of which he and I were members, as was also my esteemed friend who stands now upon the floor, the junior Senator from Tennessee [Mr. KEFAUVER]. All three of us were members of the Kappa Sigma fraternity.

Furthermore, it was my privilege and pleasure to meet Governor Jester for the first time, so far as I know, during the course of extensive hearings held last year by a subcommittee of the Committee on the Judiciary, on the subject of the so-called tidelands question. I found Governor Jester, although he and I differed upon many subjects under consideration, to have an alertness of mind, a pleasantness of approach, and a personality of such delight and charm that I was very greatly attracted to him. I am shocked and grieved by this unhappy news.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. GILLETTE. I yield to the Senator from Tennessee.

Mr. KEFAUVER. I wish to join the senior Senator from Texas and the senior Senator from Missouri in paying tribute to the life, character, and work of this great public servant, Gov. Beauford H. Jester, of Texas. I knew him over a period of approximately 12 years. I was well acquainted with the great contribution he made as Railroad Commissioner and as Governor of the State of Texas, and his contribution to better government throughout the United States. I particularly knew him as worthy grand president of the Kappa Sigma Fraternity, of which the senior Senator from Missouri [Mr. DONNELL] and I are members. Through this organization he made a substantial contribution to student life in many universities throughout the Nation.

I sincerely regret his passing. I know that the young men who had the privilege of meeting him in various colleges of the United States, in college and fraternity work, also mourn his passing.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed, without amendment the joint resolution (S. J. Res. 114) to provide an increase in the authorization for the Federal National Mortgage Association.

The message also announced that the House had severally agreed to the amendments of the Senate to each of the following bills of the House:

H. R. 578. An act for the relief of Carlton C. Grant and others;

H. R. 599. An act for the relief of Victor R. Browning and Co., Inc.; and

H. R. 2737. An act to establish the decoration Medal for Humane Action for award to persons serving in or with the armed forces of the United States participating in the current military effort to supply necessities of life to the people of Berlin, Germany.

The message further announced that the House had agreed to the concurrent resolution (S. Con. Res. 53) relating to

the enrollment of Senate bill 70, to make effective in the District Court for the Territory of Alaska rules promulgated by the Supreme Court of the United States governing pleading, practice, and procedure in the district courts of the United States.

#### ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 623. An act for the relief of Sadako Takagi; and

H. R. 3127. An act to authorize the admission into the United States of Jacob Gross, a minor.

#### THE NORTH ATLANTIC TREATY

The Senate, as in Committee of the Whole, resumed the consideration of the treaty, Executive L (81st Cong., 1st sess.), signed at Washington on April 4, 1949.

Mr. GILLETTE. Mr. President, it is my purpose to vote for the ratification of the pending treaty. I do not usually speak from manuscript, but because of the importance of the subject, I shall avail myself of that opportunity at this time.

As I have stated, it is my purpose to vote for the ratification of this pending treaty. I did not reach this conclusion easily. I did not come to this conclusion without serious thought and soul-searching consideration of the consequences of ratification to our Nation as compared to the consequences of failure to ratify.

The fact that I shall cast my vote for approval does not mean, however, that my doubts have been eliminated, that my misgivings have been dispelled, that my qualms have been soothed. The vote I shall cast is one that I shall cast with the greatest of reluctance and with the strong conviction that my country has been led step by step into an untenable position before the rest of the world, where her good faith and honor might be called into question and her moral prestige suffer severe damage, should she now refuse to approve the pact that has been negotiated with the countries in the North Atlantic group. It seems to me to be essential, then, in fairness to those whom I here represent, as well as to myself, that I give expression to some of my thoughts in connection with this pending subject matter. I shall speak somewhat generally, but, I hope, not superficially. It may be said that I speak idealistically, but I am convinced that I speak truthfully.

It is a long, hard, rough, winding, twisting, and painful road that the nations have traveled toward the goal of a world free from war and with substantial and dependable moral, spiritual, political, and economic securities. But while heartbreakingly slow over the centuries, the progress in the last quarter of a century has been steady, sure, and greatly accelerated in its tempo. How, then, can anyone who has been in any way close to this progress, in thought or in participation, view with equanimity a step which gives so much evidence of being retrogression, and, in a measure at least, an abandonment of ground

gained at so much cost and so much sacrifice?

We are so prone to forget today, when we accept so freely the world's cooperative efforts for peace, how very recently the nations, including our own, admitted to be feasible the concept of a world federation of nations, living with one another in peace and cemented in their unity of goal and action by a cement stronger than selfish nationalism, firmer than predatory aggrandizement, and far more lasting than military necessity. This new cement has been found in acceptance of and adherence to certain basic principles so clear, so concise, and so clean that they have received all but universal acceptance as foundation stones on which can be erected the structures for the implementation of the desire of all peoples for peace and security. It is challenging, then, to think that all substantial progress in achieving international cooperative action for peace and security has been taken in less than a quarter of a century.

Let me review a bit of this recent history. Our involvement in the destruction of World War I brought general recognition in our Nation of the facts that the development of weapons of offense and defense and the methods of transportation and communication meant that our world could not survive the recurrence of increasingly destructive wars almost every generation. Everyone everywhere was repeating two words—"Never again, never again." But while we were all in accord as to this goal, we immediately divided ourselves into two schools of thought as to the means of reaching the goal. One school we called internationalists, who advocated then and who advocate now that war cannot be banished by adherence to and insistence on the ancient principles, such as freedom of the seas, right of blockade, and other nationalistic concepts. This group insisted that we must surrender a portion of our nationalistic right of action and unite with other enlightened nations of the world for concertive action for world peace. A second school of thought was called the isolationist school, who held that such a program as the internationalists advocated made us automatically a party to the traditional wars and embroilments of the other continents. This group advocated not only taking advantage of our physical and geographical isolation but at the same time placing on the statute books, certain laws that sought to eliminate various factors which had seemed in the past to involve us in war. Included in these factors were sales of munitions to belligerents, blockade running, arming merchant ships, collection of international debt, cash and carry provisions for sale of war supplies, and many, many others. This issue between these two schools of thought was the dominant one in the 1920 election and the so-called isolationist school won an overwhelming victory.

The United States refused to ratify the League of Nations Covenant. When the Japanese and German regimes began to prepare for war, we increased our

efforts to isolate ourselves from foreign conflict and, beginning in 1935, 15 years after the American people had spoken at the polls, we attempted to write national neutrality legislation. Many men now in the Senate will recall vividly those legislative attempts. Our neutrality laws proved anything but neutral in effect. It would be interesting if time permitted to review those momentous legislative battles but they were almost wholly ineffective, and our country, notwithstanding these efforts, became involved in that horrible holocaust of destruction that we call World War II.

But great and able leaders in the various countries who were allied with us in the war effort turned their thoughts toward securing and maintaining the certain victory by advanced thinking and advanced action even before the military success. Proudly can we look back on the record made in these attempts. Happily can we review each of the momentous steps taken.

Step No. 1 was the Atlantic Charter. Our former great President, Franklin D. Roosevelt, and the former Prime Minister of Great Britain, the Honorable Winston Churchill, met on a ship in the North Atlantic and spelled out in terse and unmistakable language the principles for which we and our allies were waging war:

A. We seek no aggrandizement, territorial or otherwise.

B. We favor restoration of territory to nations deprived of these territories by force or aggression.

C. We concede to every people, great or small, the right to determine the sort of government under which they choose to live.

D. Freedom of speech and expression everywhere in the world.

E. Freedom of religion everywhere in the world. Freedom from fear everywhere in the world. Freedom from want everywhere in the world.

The first great step was the crystallization and the enunciation of those principles for which our allied world was contending.

Then followed the second great step, the Connally resolution. Notwithstanding the fact that there seemed to be a heavy trend of American opinion toward internationalism, there was great skepticism in evidence abroad as to America's willingness to enter a world compact or coalition for peace. There were many in other countries who said: "As soon as the war is over the people of the United States will once again say 'let us get our boys and girls home and mind our own business. Let us stay out of world embroilments.'"

It became imperative then that the world be reassured and convinced that the United States would not repeat the repudiation dealt the League of Nations but would be ready to enter and support an international organization designed to save the world from war.

In the cooperative efforts between the legislative and executive branches of our Government, to which the eminent Senator from Utah alluded in this very place last Wednesday, the able chairman of the Senate Committee on Foreign Rela-

tions, the Senator from Texas [Mr. CONNALLY], appointed a committee to formulate action for such world reassurance. He named to this committee four Republicans and four Democrats. Not only did he insure bipartisan action but he made assurance doubly sure by selecting members to this committee who held somewhat diverse views on international problems. But he wanted a committee who could and would draft and support on the floor of the Senate with a minimum of controversy and debate a resolution that would commit our Nation, so far as the Senate could commit it, to cooperation with the rest of the world in building an organization for peace and security.

This committee, so constituted, met day after day, carefully weighed every phrase, every word; and, as a result of their studies, there was presented to the Senate the Connally resolution, which was adopted by a vote of 85 to 5. The second great step was taken, and the world knew that the United States would not shirk her share and her responsibility.

The third step was the Moscow Declaration. Now that the United States participation was assured, there was need for further assurance, first, that the Allies, including the Soviet Union, would continue their mutual military enterprise to a joint victory and negotiate a joint peace. Our great Secretary of State, the Honorable Cordell Hull, journeyed to Moscow, met with the representatives of other of our allies, and came back with the Moscow Declaration, which gave the dual assurance of full Soviet cooperation for victory in the military effort, and the equally strong assurance of her readiness to enter into a world organization designed to secure the peace of the postwar world. But with the Moscow Declaration came the insistence that prior to the writing of the peace treaties the nations should take steps toward drafting a tentative document for cooperative peace effort in order that the document could be ready for study, revision, and hoped-for acceptance before the end of the war. This resulted in the fourth great step—the drafting of a tentative United Nations Charter.

Once again with that soundness of judgment so well proven in the case of the Connally resolution, Secretary Hull sought the advice and consent of the Senate in the work of the preliminary drafting of the Charter. Once more Chairman CONNALLY appointed a committee of the Senate to meet with the Secretary. He named the same bipartisan group which had worked on the Connally resolution draft.

This eight-man group met many, many days during many, many weeks with Secretary Hull, assisting him in the original draft of the United Nations Charter which was presented at the Dumbarton Oaks Conference, and later became the basis for the fifth great step, the ratification of the United Nations Charter.

Twenty-nine States, including the permanent members of the Security Council, having ratified the Charter, Secretary of

State Byrnes on October 24, 1945, signed the protocol which formally established the new world organization. The United States Senate approved it by an almost unanimous vote. The fifty-first ratification was deposited on December 27, 1944, only 6 months after the first signing of the Charter.

Please listen to what was secured by this fifth great step:

We the people of the United Nations agree to unite our strength to maintain international peace and security and insure that armed force shall not be used save in the common interest, to maintain international peace and security and to that end to take effective collective measures for the prevention and removal of threats to peace and for the suppression of acts of aggression.

With this glorious record of five great steps toward the goal of world peace, is it surprising that there should be something of skepticism among our people as to whether the present treaty constitutes progress or retrogression? Is it a sixth great step in the direction of world peace? Is it a turning back? Is it a loss of ground? Is it a faltering, stumbling advance? Or is it an evasion, if not negation, of the fundamental principles to which all have subscribed? Is it a step within the framework of the United Nations Charter or is it independent action which might be subversive of the success of world cooperation? Above all, is it in accord with Americanism as we have seen the principles of Americanism translated into world action? To the vast majority of our people Americanism means these principles which have become the groundwork of the United Nations Charter. To these of our fellow citizens, Americanism has a real and affirmative meaning to us and to the world. It is not an obstruction, it is a vital, vibrant, living thing. Every American citizen is fully aware of its meaning and every surge of sacrifice on the part of our people stems from that awareness.

It is to every one of our citizens of the most cogent importance, then, that there be no chasm between our basic principles and their implementation in our foreign policy. As much as our people dread and abhor war, they dread even more any action or activity which negates in any way these great elements of Americanism.

It is patent to everyone that the United Nations Charter has defects which have prevented its effective use. There is no doubt that the so-called veto power, through misuse and abuse, has obstructed the unified action for full use of the United Nations machinery. I may interpolate here that the eminent senior Senator from Michigan, sitting with the committee and with the Secretary of State, will recall vividly the long hours the question of veto was discussed, knowing and recognizing that its abuse might well destroy the effectiveness of the Charter under which unity was being sought, but because the alternative was the lack of any action, men like the distinguished Senator and the other members of the committee accepted it.

But the people of the United States are not willing to abandon the efforts that have been made for peace through world coalition. They are not ready to admit it



is impossible for civilized men to work out adequate and effective cooperative machinery for the prevention of the recurrence of war.

I am fully aware that the supporters of this treaty—and I have just said that I will be one of them, with the greatest of reluctance—assert that they are not abandoning the Charter and its purposes but that they are taking the action represented in this treaty proposal within the framework of the Charter and as a temporary expedient to meet a very real condition of threat until such time as the Charter organization might take effective action.

May I ask these gentlemen why, if the Charter has been ineffective because of some of its provisions—and it has been—particularly the veto provision, why they have not initiated steps to amend the Charter so that it might be made effective? I can, of course, anticipate the immediate reply that the Charter cannot be amended because the veto provision precludes an amendment without the concurrence of the permanent members of the Security Council and that the same members who have used the veto so efficiently in their own interest to prevent United Nations action would just as readily use it to prevent amendment. But I respectfully inquire of those who make this argument if they have lived up to their responsibilities and proposed corrective amendments to the Charter? Certainly no one could veto an amendment that had not been presented. This argument of anticipated veto action would have much more force and would be entirely unanswerable if we had initiated the necessary action by way of amendment instead of neglecting such responsibility because of anticipated negative action by some other member of the Security Council.

Mr. VANDENBERG. Mr. President, does the Senator wish to proceed without interruption?

Mr. GILLETTE. I shall be glad to be interrupted.

Mr. VANDENBERG. It seems to me that the Senator was asking a question which rather rolled in my direction.

Mr. GILLETTE. I assure the Senator that was unintentional.

Mr. VANDENBERG. I do not want to sit here in silence under it. I suggest to the able Senator from Iowa that the record discloses that we have done precisely what the Senator recommends. The Government of the United States has submitted to the General Assembly of the United Nations a long series of proposed suggestions urging that they be made the basis of a voluntary agreement for the release of all the Pacific chapters of the Charter from the strictures of the veto. I remind the Senator that the same Senate Resolution 239 which anticipated the North Atlantic Pact in three of its six advices to the President, demanded precisely the same thing. So that I respectfully suggest there has not been quite such a total default in this area of action as the Senator's rhetorical question might suggest.

Mr. GILLETTE. Mr. President, I thank the Senator. I am very pleased indeed to have the correction that there has at least been that much of an effort

made. I also want to take occasion to compliment the distinguished Senator who has just spoken, who I believe was in large measure responsible for Senate Resolution 239, to which he has just referred. I hesitated, I will say to the distinguished and able Senator, a long time, when thinking over what I should say here today, as to whether I should list Senate Resolution 239 as the sixth step that had been taken in the direction of world peace.

Mr. President, I am fully cognizant of the conditions throughout the world and particularly in the European and Asiatic fields under which there are all the elements of a clash resulting from antagonistic philosophies of government. One would be naive indeed who would deny that it constitutes a real threat to world peace. But I am one of those who can view conditions such as this with great alarm but view with still greater alarm the abandonment of principle or the compromising of commitments and responsibilities. I should never hesitate to compromise in nonessentials. I shall always hesitate to compromise principles. Expediency often dictates what morality forbids, but concessions made to expediency through abandonment of basic truths and fundamental principles exact too great a price.

We have made stupendous progress in the direction of united world effort. This goal we have sought, this organization we have developed to this point is based on unity of purpose, unity of goal, and unity of effort and action. There can be no doubt in anyone's mind that our present international situation, so far from being a successful unification into one-world action, has become a two-world hostile camp.

Nothing can be gained by name calling or by charges and countercharges of responsibility for this situation. Much can be gained by seeking the elimination of the causes which have brought about the breach. It would be a total loss to throw up our hands in despair and assert that all these sacrifices, all these efforts, all these hopes and prayers have been useless and cannot be made to serve the purpose of mankind.

As I have said twice, I expect to cast my vote for the ratification of the North Atlantic Treaty. I have also said, and I repeat, that I shall do so with the greatest reluctance, with deep misgivings, with grave doubts and qualms. I have explained in general terms why I am burdened with these misgivings and doubts. There are, likewise, a number of specific and detailed objections that I have to this pact.

We are now virtually obliged to ratify the North Atlantic Treaty, if we are not to make our Nation the butt of ridicule and scorn around the world. Several times before in recent years we have been led into a somewhat similar position.

A frequent practice of those charged with executing our foreign policy is to so commit the United States in major international arrangements that it becomes almost impossible for the Congress to change or modify those arrangements when they are brought up for consideration. Congress is given the dubious prerogative of nodding its head to already

accomplished deeds, of exercising purely rhetorical functions long after the substance of the discussion has reached a stage beyond recall.

Mr. WHERRY. Mr. President, does the Senator wish not to be interrupted?

Mr. GILLETTE. I am glad to yield.

Mr. WHERRY. The Senator has just made the statement that unless the Senate ratifies the pact we shall become an object of scorn by nations throughout the world. I realize the sincerity with which the Senator has made that observation. Granting that that may be true, yet is it not the duty of Senators to vote their own convictions? This is one of the very important points in the procedure which has worried me. The other nations having signed, it is said that it becomes almost mandatory that the United States ratify this treaty to escape the very thing which the distinguished Senator has just mentioned. Yet, regardless of that factor, under the theory by which the administration negotiates treaties and the Senate ratifies them under our constitutional process, is it not our duty, as Members of the Senate, to vote our own convictions regardless of what the impact may be? Does the Senator see what I mean?

Mr. GILLETTE. Very clearly.

Mr. WHERRY. I would be the last man on earth to "welsh" on an agreement. I realize the lengths to which this country has gone. I witnessed the signing of the treaty. To me it was a serious and impressive moment. There is no other way that such treaties can be made. If the United States had been called upon to sign first, we would not be in the predicament in which we now are. But that was the procedure which was used, and which has been used in the past.

One of the arguments to which I am giving serious consideration is the argument that we should go forward unless we wish to suffer the results suggested by the distinguished Senator. Yet, as Senators, responsive to our obligations and our oaths, is it not our duty to vote our convictions regardless of the impact?

Mr. GILLETTE. I am glad, indeed, that the able Senator from Nebraska asked the question he has just asked, because he has presented far more clearly than I am able to present the doubts which were in my mind, doubts which every Member of this body must resolve for himself. As I have repeatedly stated, my decision was reached with extreme reluctance. I felt that it was a choice between two evils, and I chose the lesser. I have stated that I shall vote for the ratification of the treaty; but I have never taken a dose of medicine in my life which was more bitter for me. For the past 30 years I have been doing what little I could to forward the cause of world peace. It is a bitter dose to me to support a step which to me seems like retrogression. However, in the condition in which we find ourselves we have the dubious and difficult choice which the Senator has so clearly and concisely presented.

This, I feel, is the dilemma facing us with regard to this new treaty. One day soon, it seems to me, we shall be forced to redefine the precise interpretation of the

constitutional treaty-making powers of the Senate and of the executive branch which we believe should apply in the twentieth century—though I am in accord with the eminent Senator from Texas that this is not the time to raise that thorny problem.

Now that the distinguished Senator from Texas [Mr. CONNALLY] has returned to the Chamber, let me repeat what I said imperfectly a few moments ago. The people of the world and the people of the United States are under lasting obligation to the Senator from Texas. They owe a debt of gratitude to the distinguished chairman of the Foreign Relations Committee who, in collaboration with others, enabled us to take the five great steps which have been taken.

Mr. CONNALLY. I thank the Senator.

Mr. GILLETTE. As it is now, we have once again been placed in the position of passengers on an airplane which is being piloted toward distant and uncharted destinations and when we reach the point of no return the controls are turned over to us and we are told that the choice between going back or going on along the dubious and unknown course rests in our hands. I contend that this is not a proper or an intelligent way for a great Republic to conduct its foreign relations. It will be recalled that there is now on the market a best seller of fiction entitled "The Point of No Return." I think the title is appropriate in this connection.

In the discussion of the pact last week several Senators addressed themselves to the relationship between the treaty which we are considering and the military-assistance program which we shall be asked to consider later.

This afternoon when the able Senator from New Jersey [Mr. SMITH] was speaking he was interrogated by half a dozen Senators who have doubts in their minds as to the obligation. The able Senator from Texas has assured them again and again that they are not obligated, as he understands it.

It is quite true, I believe, that the pact and the European arms assistance program are inextricably linked both in fact and in the minds of most people.

How intimately these two subjects are commingled can be seen even more vividly in the history of the steps leading up to the formulation of the North Atlantic Treaty. I am indebted to an excellent brochure on the Atlantic Pact prepared by Mr. Halford L. Hoskins, of the Legislative Reference Service of the Library of Congress, for the chronological steps I wish to cite here. On page 63, under appendix I of this research document, I note that on March 17 last year the Brussels conference of representatives of Great Britain, France, Belgium, the Netherlands, and Luxemburg resulted in the signing of a 50-year western union treaty providing for collective military aid. These countries promised each other mutual aid in military preparations. On April 30, 1948, the same countries sent their Defense Ministers and Chiefs of Staff to London to initiate joint military discussions. Two months later, on July 6, 1948, the then Under Secretary

of State, Mr. Robert Lovett, met with the Canadian, British, French, and Benelux countries' Ambassadors here in Washington for an exchange of views on European military defense requirements. A few weeks later, on July 20, it was announced in London that American and Canadian military experts would sit in as "nonmembers" with the Permanent Military Committee of the Brussels powers. Then, on September 27 and 28 last year, the Defense Ministers of the new western union met in Paris to agree on a common military defense policy. On October 4 the parties to this western union, the Brussels treaty powers, appointed a common military staff.

During the month of October our Government began receiving estimates of military equipment needed by the western union countries. At last, on the 26th of October, the consultative council of the western union agreed in Paris to seek a formal North Atlantic security pact. This decision was reached, at least so far as the public knew of it, 7 months after the Brussels powers signed their treaty for collective military aid. The Brussels pact area was to be expanded to include North America.

Then on December 6 the late Secretary of Defense, James Forrestal, declared that military equipment must be supplied generously to western Europe to give meaning to the Brussels treaty. In the Secretary's view, the Brussels treaty would not have meaning unless America provided the military backing.

Four days later formal negotiations on the Atlantic Pact began.

From this brief résumé of some of the principal steps leading up to the pact, we can see that the overriding interest of the sponsors of this treaty has been, and is, to construct a vehicle for the transfer of arms and military equipment from the United States to the western European countries. In other words, European efforts to obtain arms and munitions from our American arsenal preceded, and, in fact, were the real reasons for the negotiation of the North Atlantic Treaty.

Thus, the arms-assistance program is not a necessary consequence or complement of the pact. Quite the reverse, the pact was necessary in order to justify before the American people the proposed shipment of arms and munitions to western Europe.

I call the attention of the Senate, Mr. President, to the May 22, 1949, Department of State Bulletin, which I have in my hand. It has previously been referred to, but at the risk of being tedious, I wish to quote from it again, because it is along the line of what I am stating. The first article in this bulletin concerns the United States military-assistance program. On page 646, we find the subtitle "Relationship to the Atlantic Pact." I quote the first three sentences under this heading:

The requests of the eight North Atlantic Pact countries are not a product of the Atlantic Pact. The military-assistance program was conceived and developed separately and somewhat in advance of the formulation of the pact. The military-assistance program would be necessary even without an Atlantic Pact.

What could be more explicit than this statement in an official bulletin of our Department of State? In unequivocal terms the bulletin tells us that the military-assistance program was conceived and developed apart from and previous to the formulation of the pact. How can any reasonable man avoid drawing the obvious conclusion: The western European countries needed more armaments; they met for a period of several months to formulate their demands; they asked the United States to supply those armaments; the State Department sought a formula, a device, a vehicle by which the peacetime shipment of armaments overseas could be made acceptable to the American people. The search led to the formulation of the North Atlantic Treaty which obligates the United States to transfer unspecified but certainly enormous quantities of arms and munitions to the European members of the new alliance.

With this background in mind, we can approach the treaty before us with a far clearer understanding of what its terms mean and why certain articles are written as they are.

Article 3, for example, obliges the signatory powers to "maintain and develop their individual and collective capacity to resist armed attack." This means, literally, that the contracting parties are duty-bound to increase their armaments and their armed forces. This article makes it unmistakably clear that the Atlantic Pact is primarily—and it is not a pleasant phrase—a military alliance designed to expand, without stated limits, the military power of the signatory countries.

The council which is provided for under article 9 is authorized to develop a whole new international secretariat outside the United Nations, starting immediately with a "defense committee" to prepare plans for dealing with a possible attack. The stress put on the military aspects of the pact here again indicates that in the minds of the signatories this is strictly a military alliance.

To return to article 3 of the pact, we note that "to achieve the objectives of this treaty," the parties will develop their armaments and armies "separately and jointly, by means of continuous and effective self-help and mutual aid." I should like to lay stress on the terms "jointly," "continuous" and "aid." It is under this article of the treaty that the proposed military assistance program will be effected. "Jointly" with the other signatories, the United States will "continuously" supply "aid" to the other signatories to build and maintain their military forces. That, in my opinion, is what this Atlantic Treaty is really concerned with. I submit that the steps leading up to the formulation of the treaty, plus the acknowledgment of the State Department itself in its own official bulletin, which I have just quoted, go far to uphold my contention that the real purpose of the pact is to create a new, shining vehicle on which to transport vast and unimagined quantities—at least unlimited quantities, so far as any specification is concerned, of armaments and weapons of war from the United States to Europe.



It is my awareness of this, Mr. President, that prompts me to wonder how anyone could reasonably claim that the Atlantic Pact and its military companion piece are another great step, a sixth step, added to the five to which I already have referred, in the direction of international peace through a world security organization along the road I have described that led from the Atlantic Charter through the superb steps taken by some of the gentlemen I see before me now, to the United Nations.

A persistent effort has been made in discussing this pact to describe it as being "within the framework of the United Nations." During the war years, I had the honor of participating in the original studies on the United Nations organization. I am sure that at no time did it occur to me, or to the other Senators with whom I worked on the principles of the UN Charter, that article 51 of that Charter could be interpreted as authorizing one group of member states of the United Nations to form a military alliance against another group of member states of the United Nations.

In the words of the distinguished Senator from Vermont (Mr. FLANDERS), on last Friday, article 51 is a "feeble cord" with which to link this pact to the UN Charter. I would go further, and would say this as one who took a very minor part in the original discussions on the UN organization: I honestly believe that we never contemplated any such travesty on the principles of the United Nations Charter. Taking the most charitable view, I can agree with the characterization given by one of the witnesses before the Foreign Relations Committee, to the argument that this Atlantic treaty is consistent with the United Nations Charter: It was Mr. James Warburg who labeled this a "polite hypocrisy."

If, however, we accept the thesis that the Atlantic Pact is consistent with the principles of the Charter—a point of view to which I do not subscribe—then it must be consistent throughout, not merely consistent with article 51 or some other single article. It is not enough to say you are going to live up to the UN in one phase, and then violate it in one or more other phases.

Article 52 of the charter, for example, provides for regional defense pacts. That article, as the Senate well knows, was placed in the Charter to accommodate the Monroe Doctrine and to permit Pan-American regional arrangements. Now comes the Atlantic Pact, creating a two-continent, transoceanic regional agency. If the Atlantic Pact is a regional arrangement, then surely it must be governed by other articles in the UN Charter which govern regional arrangements.

I cite article 53 of the Charter, which says, flatly:

No enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council.

Yet, under the terms of the Atlantic Pact, the signatories will merely report to the Security Council what they have done, upon having decided that they are victims of an armed attack. Each signatory of the pact is bound in the words

of article 5, to assist any other "by taking forthwith, individually and in concert \* \* \* such action as it deems necessary." This sort of action by the signatories obviously is not intended to be taken after authorization by the Security Council.

I can see no way to avoid the conclusion that article 5 of the pact permits the signatories, including those which are UN members, to bypass the United Nations Organization into which we and most of the other peoples of the world have put so much hope, so much faith, so much hard work, so much heartfelt prayer. The pact will relegate the UN to second rank, make it a subsidiary international body for arbitrating and otherwise controlling disputes between great powers. The pact erects outside the United Nations a wholly self-determining agency of allied powers, which reject third-party jurisdiction and judgment of their case, and which intend to act exactly as they wish without regard to other members of the United Nations and without regard to other countries of the world, all of which are sure to be affected by the outbreak of general war.

Mr. President, it would be duplication of efforts already well expended by others for me to proceed to an analysis of each article of this treaty in order to point out the many places where doubts, even suspicions, arise in my mind. I dread the possibility that the language in the preamble, already stretched to include the antidemocratic, corporate regime of Portugal, may be stretched further to include any sort of regime, regardless of its manifest hostility to democracy, individual liberty, and the rule of law. I am alarmed by the overwhelming emphasis placed on the purely military aspects of our international relations. I am troubled by the potential danger to our country's standing in the world, should this treaty be interpreted so as to involve us in suppressing a legitimate popular revolution against a tyrannical government. I fear, as I know the Senator from Utah fears, lest the millions of colonial peoples of Asia and Africa regard our alliance with their European masters as signifying American approval of colonial exploitation or American consent to suppression of democratic independence movements.

Mr. President, I digress here to quote a statement which was made in the city of London, in a conversation between the present speaker and an outstanding member of the British Government, whom I shall not name, calling attention to what seemed to me to be a contravention of the fundamental principles written into the Atlantic Charter and embodied in the consecutive steps which followed it—calling attention to the violation of both principles in Britain's colonial policy. The gentleman to whom I refer called my attention to the quotation, with which we are all familiar, from the former great Prime Minister, saying to me:

You forget, Mr. GILLETTE, that a former great Prime Minister of the British Empire has said that he did not become His Majesty's Prime Minister to preside at the liquidation of the British Empire.

I replied:

And I say to you that I think I am voicing the feelings of the huge majority of the people of the United States when I tell you that we did not become a party to the greatest war of history, sacrificing thousands and thousands of our boys and girls, and pledging the resources and revenues of America for generations to come, to underwrite an expansion or underwrite a status quo for any empire of the world, based on its fundamental philosophy of the exploitation of weak peoples anywhere in the world.

I was glad to hear the eminent Senator from Utah (Mr. THOMAS) remark, as he did here the other day:

If the signers of the North Atlantic Pact have not reformed in their minds and in their hearts, in regard to the exploitation of backward peoples, the North Atlantic Pact will fall of its own weight.

But beyond all these grave doubts, I do not want to bring my discussion of the North Atlantic Treaty to a close without taking an over-all look at the road which our country seems to be following in the present world crisis.

Mr. WHERRY. Mr. President, will the Senator yield for a question in connection with the observation which he has just quoted?

Mr. GILLETTE. I yield.

Mr. WHERRY. The distinguished Senator is making a most able address on the North Atlantic Pact and its relationship to the arms legislation, and also with respect to its relationship to the United Nations Charter. The Senator has in a limited way at least described the North Atlantic Pact as a military alliance. My question is, If the treaty can fall of its own weight, and if it is going to make of the United Nations a subsidiary or secondary organization, on what justification could one vote for the pact as another step in the hope for peaceful relations with the countries of the world?

Mr. GILLETTE. That is a very reasonable question.

Mr. WHERRY. I hope it is, because I am certainly seeking for light on the subject.

Mr. GILLETTE. I can readily understand why the eminent Senator from Nebraska or any other Senator can say, "Feeling as you do, Mr. GILLETTE, how can you vote for it?"

Mr. WHERRY. And that is a particularly appropriate question to ask of one who has been an outstanding advocate of international peace all these years. Having reached that conclusion, how could the Senator vote for the pact?

Mr. GILLETTE. The answer is the one I tried to give a while ago. It is not clear, possibly, and probably it is not consistent; but to me it is the only answer I could give, after days and days and weeks and weeks of thoughts and prayerful study of the implications and the results of ratification, as against the failure to ratify.

Mr. WHERRY. Does the Senator refer to its impact upon the nations that have already signed?

Mr. GILLETTE. That is the thing that deterred me.

Mr. WHERRY. If we now fail to ratify, after all the work that has been done, the impact will be of such nature, it will produce such disastrous effects,

that it will be a hindrance to peace, will it not?

Mr. GILLETTE. That is the factor which has made me sick at heart. I do not question the motives and the sincerity and the honesty of the eminent Senators who are supporting it, who have reached another conclusion. The only thing I can do is try to give voice to some of the things that are in my mind, when I know what I know after a quarter of a century of a steady advance in the matter of world cooperation, as I have said before, under the superb leadership of the Senator from Texas, the Senator from Georgia, the Senator from Michigan, the Senator from Utah, and the former Senator from Vermont, Mr. Austin. After all that has been accomplished, to reach what seems to me a point of no return is a sickening and a soul-rending thing.

Since the end of World War II—

Mr. DONNELL. Mr. President, will the Senator yield for a very brief question?

Mr. GILLETTE. I yield.

Mr. DONNELL. I have been greatly impressed by the earnestness of the Senator and the tremendous struggle he has had in his own mind. Does he not think that even though there be some temporary disturbance in Europe, even though there may be some feeling of disappointment, or even of despondency, in the minds of some Europeans or all of them, the welfare of this country over a period of 20 long years into which we may precipitate ourselves—I mean to say, the question as to whether we will be safeguarding our welfare will be involved for 20 long years—does not the Senator think that would vastly outweigh any possible temporary despondency on the part of European nations, who must have known, when their representatives signed at the impressive ceremony on the 4th of April, that anyone who put his signature on the treaty for the United States had no power to bind the United States unless the Senate should ratify it? In other words, if the Senator puts into the scales, on the one hand, the feeling of disappointment or even of despondency referred to, and then puts on the other the fact that after we ratify this treaty the United States will be bound hand and foot for 20 long years, so that every cloud that comes across the diplomatic sky in the capitals of Europe will be a potential threat calling on us to comply with our obligation to go to war, does he not consider that this tremendous impact on us for 20 years vastly outweighs the effect on the European nations which may result and which may be forgotten within a few months after it has resulted?

Mr. GILLETTE. In reply to the Senator I will say that the conclusion which the Senator from Missouri has just voiced is not illogical and is not unreasonable. I can only say it is one which I did not reach after as careful a weighing as I could give to the pros and cons and the circumstances as I saw them. I reached a different conclusion. I find no fault with anyone who reaches a contrary conclusion. His mind probably worked more clearly and reached the goal with more reasonable consideration and argument than did mine. I can only say

I reached the conclusion which I have voiced.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. GILLETTE. I yield to the distinguished Senator from Ohio.

Mr. TAFT. Does not the Senator's position involve a complete abandonment of the constitutional provision for the Senate to ratify a treaty? Merely because the Department of State has signed it, if the Senator feels he must vote for ratification, is not that a complete abdication by the Senator of the senatorial function?

Mr. GILLETTE. I do not believe I could make or adhere to an assertion so broad as that. I will say, with all respect, to those who have been working on this matter, that there have been numerous evidences, both before and after the treaty was presented, of cooperation between the executive and legislative branches under the provision of the Constitution regarding the advice and consent of the Senate in relation to the negotiation of treaties. I do not believe there has been a complete abandonment of that cooperative effort between the two branches of the Government. I can only say that the steps they have taken have brought us to a point to which I have referred as a point of no return. I do not view with any equanimity, I will say to the Senator from Missouri and the Senator from Ohio, or with any calmness of thought or any placidity of thinking, the road which is ahead. The only thing I can contemplate is the road which is behind and the consequences to my country involved in the choice of the two roads which are ahead.

Mr. WHERRY and Mr. FULBRIGHT addressed the Chair.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). Does the Senator yield, and if so, to whom?

Mr. GILLETTE. I yield, first, to the Senator from Nebraska.

Mr. WHERRY. Mr. President, I hope the Senator will be patient. I am having a struggle. I have not finished my struggle. I should like to ask a question and also state to the distinguished Senator from Iowa that I feel one has a right to arrive at any conclusion he feels he should arrive at. The Senator from Iowa has arrived at a conclusion. I should like to ask this question: If I should differ with the distinguished Senator as to my duties in connection with ratification of the treaty, and say to myself that, regardless of the signatures on the treaty, I should make up my own mind; if I arrive at a different conclusion and feel that it is correct, regardless of the impact, does the Senator know of any compelling reason why I should support the North Atlantic Pact?

Mr. GILLETTE. Most certainly not.

Mr. WHERRY. That is the point.

Mr. GILLETTE. The only thing the Senator can do is to use the mind and the heart Almighty God has given him, and by the use of those faculties, reach the conclusion which seems to the Senator to be correct. Anyone who would criticize the Senator for that is certainly arrogating to himself light that he does not himself possess.

Mr. WHERRY. The thought I wanted to convey was that to my mind the speech which has been made by the Senator from Iowa has completely demolished the arguments that these are separate instruments. To my mind, the Senator has established that the North Atlantic Treaty is the instrument through which arms implementation legislation will be made possible. If that be true, then the only thing left is that any Senator who is not favorable to arms legislation, if he votes for the North Atlantic Pact, is betraying his own vote if he is not in favor of arms legislation. So I ask the distinguished Senator, if one feels that way regarding the future peace of the world, the future existence of the United Nations Organization, is there any compelling reason, anything which the Senator can think of, which could be offered to one who is still struggling for the light, as to whether the North Atlantic Pact should be supported, except for one thing, namely, that it is a senatorial duty to ratify the treaty because of the impact adverse action would have upon the signatory powers?

Mr. GILLETTE. It is a matter of great regret that I cannot offer anything by way of consolation to the Senator from Nebraska. I have had my own travail and have reached a conclusion as the result of it, and I do not want to go through with it again.

Mr. WHERRY. I want to thank the Senator for his observation.

Mr. GILLETTE. I now yield to the Senator from Arkansas.

Mr. FULBRIGHT. I wonder if it would be a fair observation to say that the Senator's sickness at heart upon voting to approve this treaty does not arise more from the failure of the United Nations to achieve what the Senator, among others, thought it would achieve, than from the execution of this treaty. Is it not that which causes the Senator to feel dismayed and frustrated, rather than the necessity of approving the treaty, which is one of those unsatisfactory choices made necessary by the failure of the United Nations? Is not that a fact?

Mr. GILLETTE. I think there is an element of truth in what the distinguished Senator from Arkansas has said. In my discussion of the historical background, the five great steps in the direction of the goal which all the enlightened peoples of the world are seeking, I suggested that after we have taken those steps, one after another, to reach a point where it seemed necessary to take a step that might be retrogression, it was at least a failure to advance. Perhaps it comes from a sense of frustration, from the lack of effectiveness of the United Nations Charter, but I will say to the Senator, as I stated a while ago when the Senator from Michigan [Mr. VANDENBERG] was present, that it does behoove us to say it cannot be made effective if we have not taken every step permissible under the terms of the Charter in making it effective, correcting its defects and eliminating its shortcomings. But I do not believe we have taken those steps.

Mr. FULBRIGHT. Mr. President, if the Senator will yield further, I believe we have done everything reasonably possible to make it effective. That is one



of the reasons I have less difficulty than has the Senator in accepting this alternative, because I feel that the representatives of our Government have made a genuine effort to make the United Nations function as it was intended to function. There may be some minor misjudgments on some points, but, generally speaking, to the extent which it is reasonable to expect, I think we have made a good faith effort, and therefore I am forced to the conclusion that this treaty is an essential step since the United Nations has not worked as I expected it to.

Mr. GILLETTE. I am sure the Senator has reached his conclusion along the lines he has just outlined. I am sorry the Senator from Iowa could not reach a similar conclusion.

Mr. JENNER. Mr. President, will the Senator yield?

Mr. GILLETTE. I yield to the Senator from Indiana.

Mr. JENNER. I have heard most of the address of the distinguished Senator, and I should like to ask one question. I may have missed the portion of his address in which he touched this point, having been called from the floor once or twice for a short period.

Is it the Senator's belief that by the ratification of the North Atlantic Pact we would strengthen, or weaken, the possibility of the success of the United Nations?

Mr. GILLETTE. I raised that question in the early part of my remarks by asking a number of rhetorical questions.

Mr. JENNER. I missed that.

Mr. GILLETTE. I stated that those questions were in the mind of every thinking man and woman, namely, have we stopped? Are we taking a step backward? Is it a stumbling step forward? Are we making some progress? Are we violating all the purposes, all the things to which we adhered so cleanly, so clearly, hopefully, or are we abandoning them? Each Senator will have to reach his own conclusion. I have said that my conclusion is that I have little choice other than to support the pact, but I shall be sick at heart, and I am now, in having to support it.

Mr. JENNER. I take it from what the distinguished Senator has said to the able Senator from Nebraska that the Senator from Iowa in his own mind cannot separate the Atlantic Pact from the arms implementation.

Mr. GILLETTE. It is impossible to do that. Every step I cited in the Hoskins statement, every step over a 9-months' period, was a move toward military implementation until the United States was brought into it.

Mr. JENNER. That being true, if the Senator will permit a further question, has he given consideration to what the projected arms implementation may mean to this Nation from the standpoint of our own Nation's solvency or insolvency?

Mr. GILLETTE. I certainly have, and I do not believe anyone who thinks has failed to give consideration to that. I have not discussed it. I did not want to get into the economic phase.

Mr. JENNER. The Senator has reached no conclusion on that phase of the matter.

Mr. GILLETTE. I have reached no conclusion except that if a goal could be attained, a goal which we all seek, namely, the goal of world peace and security, brotherhood of man under the fatherhood of God, then a sacrifice of our economic security might be justified, because of the goal. But when I see the political, economic, spiritual, and moral values to be sacrificed, and feel that we are not making an advance, but are letting go something that is clean and sweet and pure for mankind, it gives me concern.

Mr. JENNER. In other words, the answer to the future peace of the world, so far as this pact or anything else we now can contemplate is concerned, lies in the answer of the decades to come?

Mr. GILLETTE. It certainly does.

Mr. JENNER. Winston Churchill recently said in a speech that the only thing that kept Russia from attacking, or bringing on another war, was the strength of the United States and the fact that it possessed the atomic bomb. So I ask the distinguished Senator, if we should happen to lose our economic strength, and the secret of the atomic bomb, if we should go into an economic tailspin, if we should have a great depression, would there not disappear about the last best chance for peace on this earth?

Mr. GILLETTE. The Senator's statement may be a correct one. I merely add to what he has said that I can view with mental calm the loss of an economic position, speaking individually. While I do not want to lose a dollar I can give up every dollar I have in the world, and view the result with a measure of equanimity that would not accrue to me if I gave up something which I felt was fundamentally clean, and necessary to the spiritual well-being and the moral well-being of the world.

Mr. JENNER. If the Senator will yield further, I will ask him if he knows of one group of nations entering into a military alliance that has ever, in all recorded history, resulted in peace.

Mr. GILLETTE. There never has been such a result, and never will be.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. GILLETTE. I yield to the Senator from Nebraska.

Mr. WHERRY. Then, regarding the spiritual values and the moral values about which the Senator spoke a moment ago, which are far above the economic considerations, does the Senator feel that the North Atlantic Pact, implemented by arms, would force this program, this clean program, to which the Senator referred, which might bring about world peace?

Mr. GILLETTE. The Senator has asked the question in several forms, and I know how deeply he feels about it, and how deeply it concerns him. I can only say that, having given that matter hours of consideration, I have reached the conclusion that it can simply be answered in the expression that of two evils we should choose the lesser.

Mr. WHERRY. I thank the Senator.

Mr. GILLETTE. Mr. President, since the end of World War II, American foreign policy has been operating on a dual

level, making high pronouncements and turning out low performance. We have paid eloquent lip service to the principles of international collaboration and to the United Nations; we have given forth innumerable grandiose utterances. Yet, in reality, our foreign policy has been one of short-term emergency measures, based on our physical and economic ability to hold certain areas with bayonets, or to provide the equipment and experts for others to hold these points. These primitive tactics, which have been misnamed "realistic," have, as we all know too well, failed to stop the Communists in Greece and collapsed completely in China. Still, we persist in them.

America's retreat from her traditional position as the backer of the forces of human freedom and democracy throughout the world, and our curious adventure into the realm of brass-knuckle diplomacy, will go down as a black and futile chapter in the history of our foreign policy.

The United States must, before we go much further along the road marked by so many failures, begin to think of the defense of western Europe and of Asia and Africa in terms of applying in those areas the lessons which we have long ago learned in America in building and maintaining liberty and a high standard of living for all our citizens. We must rid ourselves of the notion that all we have before us is the simple choice between a soft policy and a firm policy. These are muscular, not intellectual choices. The true choice before us is between a creative, forward-moving American program, on one hand, and a sterile, brass-knuckles defense policy on the other.

The North Atlantic Treaty has been proposed as another of those realistic measures to prevent Communist aggression. We are assured by its advocates that it is a purely defensive measure, calculated to take effect only in the case of aggression against one of the signatories by some outside power. I accept that characterization. It is a defensive measure. This conception of defense, against such an aggressive world revolutionary force as communism, must, however, also be characterized as obsolete. At the present stage in history, it is impossible to believe that a dynamic, subversive doctrine which propels its believers forward with revolutionary fanaticism can be checked or even deflected by throwing up road blocks, erecting Do Not Enter signs, and digging Maginot lines.

No revolution based on discontent, despair, and desperation has ever been halted by building high palace walls or by maintaining a well-armed and alert police force.

It is obvious that the Communists will strike wherever democracy is weak—not by conquest alone but on the momentum of its revolutionary ideas as well. The objection to the North Atlantic Treaty is not that it opposes the onslaught of communism, but that the pact is merely a static, a sterile opposition, impotent in the face of a dynamic ideological attack. To rely on such a pact will mean we are retreating behind ramparts of wealth and

armed might, seeking to derive our security from a purely physical and immobile fortress. Is there anyone so unworldly as to believe that the Communist idea will stop at the borders defined by the North Atlantic Pact? If it becomes a contest between a fixed defense and a dynamic offense, any schoolboy will realize that ultimate victory will go to the offense.

The only program to check communism is one that has as its purpose something far greater than checking communism.

It will be a program which reaches out and rolls up the Communist forces before it. Only a full-scale American political offensive can deal with the worldwide Communist conspiracy.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. GILLETTE. I yield.

Mr. LONG. I should like to ask if this much is not true however, that there are in Europe and elsewhere forces both in the church and in democracy to meet communism? Is it not true that those forces would probably be strengthened if the men who were fighting the battle against communism for our side, one might say, and for democracy and for religion, knew that because of the fact that we were taking an effective stand to support them they were not going to be overrun and killed or thrown into concentration camps?

Mr. GILLETTE. That, I take it, might be very beneficial. I will agree with the Senator from Louisiana.

We in America have been and still are living a revolution that is vastly superior, vastly more gratifying in its ends and more humane in its means than anything which the totalitarians have ever offered to the peoples of the world. Our way of living, which we have come to take so naturally as a matter of course, is still the most appealing and compelling dream for the underprivileged masses of mankind.

The Senator from Michigan [Mr. VANDENBERG] has spoken of a Crusade for Peace. If we are to embark on such a crusade, it can only be in positive, affirmative terms—not just against communism—but with a fully rounded program for establishing moral and material freedom within the reach of every man wherever he may be—whether beyond or on this side of the so-called iron curtain. Such a positive crusade will inevitably bring stanch and vigorous allies to our side from every land, allies who will not only be loyal to a common way of life, but who will be strong enough to defend themselves against any physical or ideological marauder.

The North Atlantic Treaty is not proposed as a mere gesture. It is conceived as a serious military defense measure. It must fail if arms are not provided to make it work. Estimates indicate that upward of fifteen to twenty billion dollars will be required to arm the signatory countries.

We have a choice. We can spend these vast sums of money, and their equivalent in natural resources and productive capacity, labor and scientific research, in the fabrication of a Chinese wall to hold

back an aggressive revolution; or, we can invest a fraction of this sum in the development of enterprises wherever in the world middle-class capitalism is reaching out for a helping hand. The only permanent security our American democracy can ever enjoy is one deriving from the ever-expanding area of the earth where men may take part in free economic and political opportunities.

This essentially is the American revolution—the revolution which totalitarianism recognizes and challenges and seeks to stifle. This American revolution can survive in the world of today only by stepping forth from these shores and transforming itself into a world revolution, a revolution for ever-greater freedom and ever-greater abundance for ever-greater numbers of the world's people.

The destiny of man's freedom lies in our hands. We are the custodians of the democratic way of life—a sacred trust that we cannot hold long if we seek merely to limit it to ourselves. There are those who see no moral objection to spending \$15,000,000,000 or \$20,000,000,000 to arm and equip the military forces of Europe. What possible objection, then, can there be to spending a fraction of that sum for the development of a creative peace, a peace that maintains itself because the basic war-making causes of insecurity and fear will have been eliminated and because human difference—always present and to be welcomed—will then be dealt with in a parliament of man in a civilized and Christian spirit?

Some oppose the North Atlantic Treaty because it may provoke an aggressive enemy to early action. I object to it because it is irrelevant to the purpose for which it was created: the establishment of peace. It is irrelevant because it does not touch on any of the basic causes which prompt European unrest today; it is irrelevant because it makes no contribution toward strengthening the economic and political institutions of democracy in western Europe or elsewhere. The North Atlantic Treaty is a strategic, economic, and political anachronism. The pact has been outflanked by time.

Strategically, there is only one power capable of defeating Russia militarily, and that is American armed might. Under the North Atlantic Treaty, we propose to divide a considerable part of our concentrated military might, dispersing it amongst such countries as Portugal, Holland, Belgium, Iceland, and Luxembourg. We must not forget that in modern warfare fought between titans the lives of such countries are measured, not in weeks or days but in hours. To dismember American striking power in order to give token resistance demonstrations to the various states of the alliance is an act of folly. It will create only the illusion of security.

Economically, the money spent on a static defense, such as proposed in the North Atlantic Treaty, is money diverted from the building of genuine instruments for a more abundant economic life, money necessary for the great enterprise of building a world capable of peace.

Politically, the North Atlantic Treaty serves only to bolster the status quo in Europe and Asia. That status quo is the perfect target for the Communist propaganda attack. Communist propaganda magnifies the injustices caused by the persistence of feudal attitudes and feudal institutions in modern Europe. The Communist attack stresses the inhumanities of colonial imperialism as practiced by those very colonial powers signing the Atlantic Treaty.

Our chance of winning the leadership—the moral and political leadership of the world—depends on our ability to offer an alternative to this status quo—the status quo in which the millions of people of Europe, Asia, and Africa have waited too long for reforms—the status quo of an inherited and defiant feudalism and of a strangling and backward colonialism.

Surely the men of the Kremlin know this. In their cynical and ruthless drive for power, they deliberately manipulate the honest hopes and sincere aspirations of the world's downtrodden. We cannot cope with the Communist onslaught by reviving the world of 1815, the world of Prince Metternich, and the Congress of Vienna. Nor can we seek our security in smug withdrawal behind a new Maginot line or a reconstructed wall of China.

In conclusion, Mr. President, I would add only one thought. In all likelihood, this treaty before us will be ratified by the Senate. I profoundly regret that matters have been allowed to drift to another "point of no return." And I hope that never again will we permit ourselves to be put in such a position. I hope, too, that out of all the discussion occasioned by the negotiation, signing, and ratification of the Atlantic Pact, a new awareness has come upon our people of the perilous road down which we are being led.

I would welcome, and I believe the American people would welcome, a new initiative, originating perhaps in this great deliberative body, that would look beyond armed truces, strategic pacts, and regional devices and that would prepare a well-thought-through program for strengthening the United Nations as a global security organization, for worldwide reduction instead of increases in armaments, for world-wide investment of private capital for development of an abundant and expanding economy—a world-wide crusade, if you will, for democratic collaboration of all peoples in the building of a free and prosperous society. With a program of this character and scope the United States could dramatically seize and unflinchingly hold the initiative in the ideological and political struggle with the totalitarian Communists.

I have no hesitation whatever in stating my conviction that once our great Nation begins to follow this course, instead of pursuing the will-o-the-wisp of absolute security against military attack, we shall see our fears turn to exultant courage, and find that the world Communist conspiracy before which we now tremble has crumbled at our feet, exposed to all the world for the barbaric, medieval, reactionary movement that it is.



Let us begin to make our own foreign policy, instead of letting Moscow make it for us. Let us begin to carry out our own American world revolution, for greater abundance and greater freedom for all mankind, using the tools and the ideas and the principles with which we have been so successful at home to create a similar free and abundant world abroad. [Applause.]

Mr. TAFT obtained the floor.

Mr. WHERRY. Mr. President, will the distinguished Senator from Ohio yield to me for the purpose of suggesting the absence of a quorum?

Mr. TAFT. I yield for that purpose.

Mr. WHERRY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The roll was called, and the following Senators answered to their names:

Alken	Hoey	Murray
Anderson	Holland	Myers
Brewster	Humphrey	Neely
Bricker	Hunt	O'Connor
Bridges	Ives	O'Mahoney
Butler	Jenner	Pepper
Byrd	Johnson, Colo.	Reed
Cain	Johnston, S. C.	Robertson
Capehart	Kefauver	Russell
Chapman	Kem	Saltonstall
Connally	Kerr	Schoeppel
Cordon	Knowland	Smith, Maine
Donnell	Langer	Smith, N. J.
Dulles	Lodge	Sparkman
Eaton	Long	Stennis
Ferguson	Lucas	Taft
Flanders	McCarran	Taylor
Frear	McCarthy	Thomas, Okla.
Fulbright	McClellan	Thomas, Utah
George	McFarland	Thye
Gillette	McKeeler	Tydings
Graham	McMahon	Vandenberg
Green	Malone	Watkins
Gurney	Martin	Wherry
Hayden	Maybank	Wiley
Hendrickson	Miller	Williams
Hickenlooper	Millikin	Withers
Hill	Mundt	Young

The PRESIDING OFFICER. A quorum is present.

Mr. TAFT. Mr. President, I listened with great interest to the speech made today by the distinguished Senator from Iowa [Mr. GILLETTE]. I wish to assure the Senate that I have not consulted with the Senator from Iowa; but the arguments I shall make against the Atlantic Pact are very similar to the ones he made, and I agree thoroughly with the very effective argument and very effective speech he made on that subject. However, the same arguments have led me to the conclusion that I must vote against the pact, rather than for it, as he has announced he intends to do.

It is with great regret that I have come to my conclusion, but I have come to it because I think the pact carries with it an obligation to assist in arming, at our expense, the nations of western Europe, because with that obligation I believe it will promote war in the world rather than peace, and because I think that with the arms plan it is wholly contrary to the spirit of the obligations we assumed in the United Nations Charter. I would vote for the pact if a reservation were adopted denying any legal or moral obligation to provide arms.

The purpose of American foreign policy, as I see it, is to maintain the freedom of the people of this country and, insofar as consistent with that purpose, to keep this country at peace. We are, of course, interested in the welfare of the

rest of the world because we are a humane nation. Our huge economic aid, however, is based on the belief that a world which is prosperous and well off is less likely to engage in war than one in which there are great inequities in the economic condition of different people.

In the past, we have considered that the best method of preserving the peace and security of this country is the maintenance of American armed forces sufficient to defend us against attack, and a wise diplomatic policy which does not antagonize other nations. Those still are the main essentials to the maintenance of peace in the world of today.

But as the world shrinks in size, as new weapons are developed, as we inevitably become more involved in the affairs of other countries, it has become apparent that these weapons alone will not assure peace. And so we have committed ourselves to the principle of an association of sovereign nations banded together to preserve peace by preventing and punishing aggression. In the United Nations Charter we accepted the principle that we would go to war in association with other nations against a nation found by the Security Council to be an aggressor. That was a tremendous departure from our previous policy, but one which I have always urged and approved from the days of the League of Nations. I believe that all nations must ultimately agree, if we are to have peace, to an international law defining the duties and obligations of such nations, particularly with reference to restraint from aggression and war. I believe that there should be international courts to determine whether nations are abiding by that law, and I believe that there should be a joint armed force to enforce that law and the decisions of that court. I believe that in the end, the public opinion of the world will come to support the principle that nations like individuals are bound by law, and will insist that any nation which violates the law be promptly subjected to the joint action of nations guided by a determination to enforce the laws of peace.

It is quite true that the United Nations Charter as drafted does not as yet reach the ideals of international peace and justice which I have described, but it goes a long way in that direction. It is defective principally because any one of the large nations can veto the action of the Security Council, and because there is not sufficient emphasis on law and justice as a guide to the action of the Security Council. But we have advised the President that prompt action should be taken to improve the Charter. Senate Resolution No. 239, adopted by the Senate on June 11, 1948, contained three clauses proposing improvement in the United Nations Charter: First, a voluntary agreement to remove the veto from many questions; second, maximum efforts to obtain agreement for a United Nations armed force and the reduction of national armaments; and third, a review of the Charter by a general conference called under article 109 of the Charter. As far as I know, the State Department has disregarded these injunctions of Senate Resolution 239 and concentrated only on that clause of the

resolution which proposed a compact under article 51, based on the defects of the United Nations Charter.

The distinguished Senator from Michigan has called the attention of the Senator from Iowa [Mr. GILLETTE] to the fact that the State Department has urged these changes on the United Nations. I can only say that both the Senator from Iowa and myself do follow the newspapers, and that if they have so urged, no emphasis has been placed upon the matter. There has been no effort to stir up public opinion in favor of such changes, as there has been in favor of the Atlantic Pact. So far as I know, no suggestion whatever has been made that any conference be called under article 109 of the Charter, which I think would be the only effective means of securing improvements in the Charter.

The North Atlantic Treaty might have been so drafted as to create a small United Nations within the larger group, improving upon the United Nations Charter, eliminating its defects, and furnishing an example of an improved international organization which could be followed by the United Nations itself. It might have established a law between the nations signing it and a force to prevent aggression between those nations without veto and with reliance on the decision of a competent court to administer justice. This was suggested by Mr. Hamilton Fish Armstrong in an article in Foreign Affairs in October 1948. It is the general plan suggested in Senate Resolution 133, introduced by the distinguished junior Senator from Alabama and 10 other Senators on Friday of last week, with which I have great sympathy.

But the State Department did not adopt any of these suggestions and has shown no intention of doing so. We have to consider here the North Atlantic Treaty as it has been drafted, without the improvements Senators would like to see made, but which 12 nations probably would not agree to once this treaty is ratified. We abandoned the chance of getting those when we signed the treaty in its present form. The Atlantic Treaty as drawn is certainly no improvement over the United Nations, nor can it by any stretch of the imagination be regarded as a perfection of or supplement to that Charter. From the point of view of an international organization, it is a step backward. Apart from the obligation to provide arms, the treaty is permitted by the Charter, which says:

Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a member of the United Nations until the Security Council has taken the measures necessary to maintain international peace and security.

The Charter merely recognizes this inherent right as necessary because the veto provision of the Charter may result in complete inaction on the part of the Security Council. But certainly in all other respects the treaty far more resembles a military alliance than it does any international association of nations. As the Senator from Iowa so forcefully said, it is a step backward in

the progress toward international peace and justice.

What is the nature of that treaty?

It is obviously, and I do not think it can be questioned, a defensive military alliance between certain nations, the essence of which is an obligation under article 5 to go to war if necessary with any nation which attacks any one of the signers of the treaty. Such an attack may come from outsiders or it may come from one of the signers of the treaty itself. The obligation is completely binding for a period of 20 years. It imposes an obligation upon the United States to each member nation whether or not there is consultation or joint action by the Council, or a finding by any court that an unjustified armed attack has occurred. Our obligation is self-executing upon the occurrence of an armed attack.

Some doubt will always remain as to whether the Congress must declare war before our armed forces actually take part. I am inclined to think such action is not necessary if the President chooses to use our armed forces when an ally is attacked. But whether it is or not, the obligation to go to war seems to me binding upon the United States as a nation, so that Congress would be obligated to declare war if that were necessary to comply with the provisions of the treaty. It is pointed out that the President could fail to act and Congress could refuse to declare war, but certainly we are not making a treaty on the theory that we expect to violate it in accordance with our own sweet will.

It is correctly pointed out that the exact measures which we are obligated to take will be determined by us, and that it may not be necessary to go to the extent of a declaration of war. We do reserve a certain discretion, but as I see it, we do not reserve any discretion on the question, for instance, whether the armed attack is justified, as a reason for supporting it. If one of the members of the pact provides an attack, even by conduct which we disapprove, we would still apparently be bound to go to its defense. By executing a treaty of this kind, we put ourselves at the mercy of the foreign policies of 11 other nations, and do so for a period of 20 years. The Charter is obviously aimed at possible Russian aggression against western Europe, but the obligation assumed is far broader than that. I emphasize again that the obligation is much more unconditional, much less dependent on legal processes and much less dependent on joint action than the obligation of the United Nations Charter.

And yet in spite of these dangers, I have wanted to vote in favor of the Atlantic Pact for one reason and would still do so if the question of arms were not involved. I fully agree with the effective argument in favor of the pact made by the distinguished Senator from Michigan because of its warning to the U. S. S. R. I think we should make it clear to the U. S. S. R. that if it attacks western Europe, it will be at war with us. I fully agree with the statement of

the distinguished Senator from Michigan:

It is not the military forces in being which measure the impact of this knock-out admonition. Its invincible power for peace is the awesome fact that any aggressor upon the North Atlantic community knows in advance from the very moment he launches his conquest, he will forthwith face whatever cumulative opposition these united allies in their own wisdom deem necessary to beat him to his knees and to restore peace and security. It is this total concept which, in my view, would give even a reincarnated Hitler cause.

I agree that if the Kaiser had known that England and the United States would be in the war, the First World War might never have begun. I agree that if Hitler had known the United States would be in the war, the Second World War might not have begun. I favor the extension of the Monroe Doctrine under present circumstances to western Europe.

It is said that the Atlantic Treaty is simply another Monroe Doctrine. I wish it were. That would be much more acceptable to me than the Atlantic pact, arms or no arms. Let me point out the vital differences. The Monroe Doctrine was a unilateral declaration. We were free to modify it or withdraw from it at any moment. This treaty, adopted to deal with a particular emergency today, is binding upon us for 20 years to cover all kinds of circumstances which cannot possibly be foreseen. The Monroe Doctrine left us free to determine the merits of each dispute which might arise and to judge the justice and the wisdom of war in the light of the circumstances at the time. The present treaty obligates us to go to war if certain facts occur. The Monroe Doctrine imposed no obligation whatever to assist any American Nation by giving it arms or even economic aid. We were free to fight the war in such a manner as we might determine, or not at all. This treaty imposes on us a continuous obligation for 20 years to give aid to all the other members of the pact, and, I believe, to give military aid to all the other members of the pact.

All kinds of circumstances may arise which will make our obligation most inconvenient. The government of one of these nations may be taken over by the Communist Party of that nation. The distinguished Senator from Michigan says that we are then released from our obligation, but I see no basis whatever for such a conclusion. If that were true of a Communist government, it might also be true of a Socialist government if we did not happen to approve of socialism at the time. Presumably, it could be true of a Fascist government, one similar, perhaps, to that existing in Spain which has been denounced recently by the Secretary of State, and which is not very different from the dictatorship of Portugal, which is a member of the pact and which has not a truly democratic form of government.

I cannot find anything in this treaty which releases us because we do not happen to like the officials in charge of the member nations at the particular moment.

Obviously, any help we give one of these nations today may be used later for aggressive purposes, against Russia or its satellites, or neutrals, or members of the pact, or it may even be used against us when we try to fulfill our obligation to other members of the pact. Except for the warning conveyed to Soviet Russia, this treaty does not bear the slightest resemblance to the Monroe Doctrine.

It is said that the treaty is in strict accordance with Senate Resolution 239 adopted by the Senate in June 1948. I did not vote upon that resolution, but I believe this treaty goes far beyond the advice there given by the Senate. That resolution approved the general theory of a treaty to exercise the right of individual or collective self-defense in case of an armed attack in accordance with the purposes, principles, and provisions of the Charter, but I do not think it suggested the providing of arms to members of the pact, or even the obligations of article 5. Paragraph 4 of the resolution, which is the closest one to authorizing the present treaty, sounds more like a new Monroe Doctrine than it does like a treaty. It does not refer to a treaty of any kind. It says that one of our objectives should be contributing to the maintenance of peace by making clear our determination to exercise the right of individual or collective self-defense under article 51 should any armed attack occur affecting our national security. This looks far more like a warning to Russia than it does like a defensive military alliance of the present type. The distinguished Senator from Michigan, in explaining the resolution at that time, said:

It declines automatically military alliances. It declines all peacetime renewals of the old, open-ended lend-lease formula. It declines unilateral responsibility for the fate of western Europe. It is none of those things. It is the exact opposite.

The present treaty is a military alliance. The present treaty does contemplate a peacetime renewal of the old, open-ended lend-lease formula. The present treaty assumes unilateral responsibility for the fate of western Europe. We are obligated to go to the defense of any nation whether the other members of the pact do so or not, or whatever their consultation may advise.

It is also suggested that the pact is modeled upon the Inter-American Treaty of Reciprocal Assistance known as the Rio Treaty, entered into September 2, 1947. There are substantial differences, however, in these two treaties. In the first place, the obligation in the Rio Pact in case of armed attack is only to assist in meeting the attack. Under the Atlantic Pact, we are bound to assist the party or parties so attacked by taking forthwith such action as is deemed necessary, including the use of armed forces. Secondly, the action to be taken in the event of an armed attack is far more subject to the consultative action of the states than in the case of the Atlantic Treaty. If any state is attacked, the matter is referred to the organ of consultation established by the pact, and



any state would be justified in waiting until such organ acts. Furthermore, there is no suggestion of the providing of arms or financial aid to other members of that treaty.

There is one other material difference. In the Rio Pact, we assume an obligation which, I believe, we are perfectly capable of performing. In the Atlantic Treaty, it is extremely doubtful whether under any circumstances we can carry out our obligation to countries like Norway, Denmark, and Italy. I do not like to promise to do things which it is impossible for us to carry out.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from Connecticut.

Mr. McMAHON. Does the Senator feel, by giving that opinion, that if Norway or any other of the Scandinavian countries, or Italy, were invaded, it would be a matter we should take lightly instead of very seriously, by the use of everything we have?

Mr. TAFT. Oh, no. I am perfectly willing to go to their assistance. I simply say that the prospect of American troops being able to defend Norway or Denmark against invasion by Russia is very remote. I think it would be impossible. Of course I am not a military expert, but Norway has 100 miles of open frontier with Russia, and, in my opinion, American troops would not arrive there in time to stop several million Russians if they wanted to go through into Norway. Our action would have to be simply a defensive action of some kind, perhaps interference with the Russian advance from the east, or some such action. However, I do not purport to know. There are no troops in Italy. The Italians cannot maintain an army. I cannot quite see how we could get an army there in time to defend them and perform the obligation which we apparently are thought to have assumed, to defend the frontiers of those countries.

Mr. McMAHON. Mr. President, will the Senator yield further?

Mr. TAFT. I yield.

Mr. McMAHON. As I take it, the Senator is pointing out the difficulties of our doing anything about it if Italy and the Scandinavian countries are invaded. As I understand the Senator, notwithstanding those difficulties—and the Senator has talked about actions from the air—I take it the Senator is fully in agreement with the statement that if the event I have discussed should come to pass, it should be of immediate concern to the United States, and that, above all, we should immediately take it upon ourselves, if not to maintain the borders, at least to slow down the advance.

Mr. TAFT. I am in favor of the extension of the Monroe Doctrine to western Europe.

Mr. McMAHON. And that includes Scandinavia?

Mr. TAFT. That includes Norway and Denmark and Italy. I am perfectly willing to assume that obligation. But that is a very different thing from what we would agree to do in this treaty, as I shall discuss later.

Mr. TYDINGS. Mr. President, will the Senator from Ohio yield?

Mr. TAFT. I yield to the Senator from Maryland.

Mr. TYDINGS. I have listened very attentively to the points of view which the able Senator from Ohio has offered, and I can see that there would be ample ground for one to take a viewpoint different from that of many other Members of the Senate. But I am somewhat in a quandary on one particular phase of the difference.

The Senator says that he would support, not with great enthusiasm, but with reluctance, the treaty if it were understood that the furnishing of arms from this country to certain countries of Europe was not to follow as a result of the pact. With that point of view I am not in agreement, but I can understand that position. What I cannot understand is, however, if the Senator would support the pact—as a pact—if he were sure arms would not be sent, why he is attacking the pact—as a pact—if arms are to be sent.

Mr. TAFT. I do think we have to balance the advantages and the disadvantages. I think the advantage of a Monroe Doctrine declaration is very great, and if we were not going to arm the world and promise to do something we cannot do, and therefore do not really intend to do, I think I would go along. In fact, I am sure I would, if I thought this were not a defensive military alliance, with the obligation to arm half the world in connection with the pact. That is a question which I really desire to discuss. That is what has given me the greatest trouble.

Mr. TYDINGS. I do not wish to delay the Senator, but I should like to re-emphasize what he has already said, that as I understand, if it were not for the arms feature in the offing, the Senator would not be making an argument against the pact, but would support it.

Mr. TAFT. No, I would still make the argument against it, because I think it should be pointed out. If it were simply a Monroe Doctrine—

Mr. TYDINGS. The Senator would support it?

Mr. TAFT. I would support the pact, in spite of its disadvantages, because of the Monroe Doctrine effect which I think it would have, which is of great importance at the present moment, because I think that without arms that would be an effective weapon to preserve peace at a crucial time. With arms I think it is an incitation to war.

Mr. TYDINGS. Then, as I understand the Senator's position, it is a question of balance. We all see certain disadvantages in the treaty, as well as advantages, but on balance the Senator would support the treaty if it were not for the fact of the arms implications which flow from it.

Mr. TAFT. That is correct. And yet, in spite of my belief that the treaty goes much too far and should have been confined to a mere declaration on our part that we would go to war if Russia attacked western Europe, I would still vote for the treaty except for my belief that the pact commits us to the arming of all

the other signers of the pact. There is no question that the arms program and the treaty were negotiated together. There is no question in my mind that foreign nations which signed the treaty regarded the providing of arms as an essential part of it. Several of their leaders have expressed that view in public in Europe.

I quote from Mr. C. L. Sulzberger's recent article in the New York Times, quoting the Danish Premier:

We cannot help but feel somewhat disappointed about the fact that this has not yet been provided for and the fact that we do not yet know when it is coming. Of course, I myself and my Cabinet colleagues understood the delaying factors in the United States Congress, but it is difficult to explain this to the people.

Denmark's Foreign Minister said:

We are confident that the pact itself will be ratified in a few weeks, but we are considerably more interested in the bill on mutual aid, which is to follow. We should more than regret it if the bill were not enacted at this session of Congress.

Mr. Sulzberger comments:

Although the Danish Government is calm and fully aware of the delays in parliamentary systems, many people here assumed that after Copenhagen's decision to join the alliance arms would immediately be forthcoming. As one officer said: "The people thought it was like opening a bank account and they should now be in a position to cash a check."

The French Government issued a statement which indicated very clearly their view also, that arms were a necessary accompaniment of the pact.

Mr. Arthur Krock, who is usually well advised, stated:

The State Department might have held the spotlight on the treaty alone by different tactics. But any Member of Congress who reads informed newspaper dispatches must have known, from the time the Scandinavian Ministers were encouraged by the Department to confer here, that the purpose of their visit was to get arms; and that the hope of getting these arms under the North Atlantic Pact was what impelled the Norwegians to reject the Swedish offer of a separate Scandinavian alliance.

We cannot keep our obligations under the pact, in my opinion, unless we provide arms. Certainly I do not desire to assume an obligation and then be charged with going back on it.

If we ratify the pact and fail to furnish the military aid, I believe we will at once be accused of repudiation, and the pact will be completely discredited. Our allies will say with force and logic, "Why was article 3 put in the treaty if it doesn't mean military aid?"

I realize that the Senate Committee on Foreign Relations says:

The State Department has assured the committee that during the negotiations no commitments of any kind were made by the United States to furnish military assistance. The European negotiators were constantly reminded that the implementation of article 3 by the United States would depend upon congressional action. While they were told that the administration intended to introduce legislation authorizing the transfer of military equipment, at the same time they were repeatedly warned that no assurances whatever could be given as to whether or not,

in what form or in what amounts, such legislation would be approved.

Note, however, that neither the State Department nor the committee argues that article 3 does not mean military assistance. All the State Department did was to warn Europeans that Congress might not provide it in spite of the treaty.

The State Department position seems to me very clearly stated in the white paper issued on the United States military assistance program, which I think is in Friday's RECORD, in which the Department said:

Not until we share our strength on a common defensive front can we hope to replace this temptation (to attack western Europe) with a real deterrent to war. The North Atlantic Pact is an agreement on the policy of a common defense; its very vital corollary is a program of military aid.

No one can read that document which is set out in Friday's RECORD without concluding that, from the point of view of the Department of State, military aid is an absolutely essential feature of the new treaty. The same white paper says:

The military assistance program would be necessary even without an Atlantic Pact. It is clear, however, that the military assistance program will be more effective with the Atlantic Pact than without it."

In an effort to dispute this doctrine that the arms are tied into the treaty.

In short, the pact is an adjunct to the arms program rather than the important feature of aid to western Europe. The Secretary of State himself says:

The pact does not dictate the conclusion of honest judgment. . . . It does preclude repudiation of the principle or of the obligation of making that honest judgment. . . . There is an obligation to help, but the extent, the manner, and the timing is up to the honest judgment of the parties.

But, if his words are read clearly, the point is that he regards us as bound to furnish military aid. We may determine its extent. We may hem and haw about how it should be limited. But the Secretary, by his own words, it seems to me, admits that the military aid is an essential part of the program.

If article 3 does not mean military aid, what does it mean? I agree that the two questions could be separated, but the fact is that they are not. On Saturday, the distinguished chairman of the committee assured the press that:

A vote for the treaty does not carry with it any obligation to vote for arms implementation. Each Senator is free to vote his convictions on each one as it comes before the Senate.

I agree that Senators can cast utterly inconsistent votes, and sometimes do. But the distinguished chairman added that we must act promptly on arms implementation to assure cosigners of the pact we mean business, that we are sincere and earnest. In other words, he says that if we vote for the treaty and then vote against the arms proposal, we are insincere and do not mean what we say.

The distinguished Senator from Michigan takes the position that the arming of Europe is not essential to the most im-

portant purposes of the pact, and I entirely agree with him. Its most effective purpose is entirely independent of the pact. But that is not the position of the Department of State or the committee, and their words of reassurance are contradicted by the terms of the treaty, the circumstances of its negotiation, and their own words.

I think that is the general conclusion of the newspapers of the country. This morning an editorial was published in the Washington Post, from which I read in part as follows:

By contrast an honest stand was taken by Secretary Acheson in his appearance before the Foreign Relations Committee. "If you ratify the pact," he said, "it cannot be said there is no obligation to help. There is an obligation to help, but the extent, the manner, and the timing are up to the honest judgment of the parties." To be sure, there is no express obligation, but the armament implications of the pact, in articles 3 and 9, are as plain as the dome on the Capitol and as necessary as its walls.

I now read the concluding sentence of the editorial:

In the meantime, the indivisibility of the pact and an arms program within this framework needs to be redeclared in the pact debate in answer to the present questionings.

General Bradley, in his testimony before the committee, said very much the same thing. He said:

Plans for the common defense of the existing free world must provide for the security of western Europe without abandoning these countries to the terrors of another enemy occupation. Only upon that premise can nations closest to the frontiers be expected to stake their fortunes with ours in the common defense.

In other words, only because of the arms program could these nations have been expected to sign the Atlantic Pact. That is the position of General Bradley, who was in the negotiations throughout, and who was somewhat franker than the distinguished diplomats who have dealt with the subject.

I have come reluctantly to the conclusion, therefore, that the arms program now presented to Congress must be considered an integral part of the Atlantic Treaty.

If that is the fact, we have a very different problem from the one which is urged upon us by the Committee on Foreign Relations, by its distinguished chairman, by the State Department, and by the distinguished Senator from Michigan.

First. With the arms in the pact it is even more clear that the pact is a military alliance, a treaty by which one nation undertakes to arm half the world against the other half, and in which all the pact members agree to go to war if one is attacked. It cannot be described otherwise than a military alliance. Of course, it is not like some of the alliances in the past, although many of them, such as the Franco-British alliance prior to World War I, were entirely defensive in character, or purported to be. Others were offensive and defensive alliances. I quite agree that the purpose of this alliance is not offensive, and that we have no offensive purpose in mind. But it is exactly like many defensive military alliances of the past.

I was rather amused at General Bradley's effort to distinguish this military alliance from others. He said:

As I see it, the purpose and meaning of this is entirely different from the normal military alliances as we have known them in years past. Here we are binding ourselves together with some other nations who have free institutions and ideals like our own. Some of the military alliances in the past were a combination of people who did not have such common ideals. Some of them were for purposes of offense, some for defense, that is true.

In other words, the general's argument is that this is not a military alliance because all of its members are virtuous—for the moment.

While this is not an offensive alliance, the line between defense and offense today is indeed a shadowy one. The Maginot Line was the essence of pure defense. Today it is the target of ridicule. Every good defense includes elements of offense. We cannot have an adequate armament for defense which cannot be converted overnight into a weapon of offense. We talked of defense for years before entering World War II while our preparation was really for offense. The result is, that no matter how defensive an alliance may be, if it carries the obligation to arm it means the building up of competitive offensive armament. This treaty, therefore, means inevitably an armament race, and armament races in the past have led to war.

The United Nations looks perhaps vainly to the reduction of armaments. The Atlantic Pact proposes to increase them.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. McMAHON. Does the Senator from Ohio think that the treaty adds anything to the armaments race which is now going on, and has been going on since 1946?

Mr. TAFT. Yes, I think it reemphasizes it, makes it much more prominent, builds it up into a much more prominent condition than its present condition.

Mr. McMAHON. Does the Senator think that the treaty adds anything to the Russian determination to increase her divisions, her airplanes, her submarines as we know she is doing? Does the Senator believe that the treaty in any way increases her determination to secure atomic armament in quantity?

Mr. TAFT. That brings up the second objection to which I was just about to address myself.

#### THE ATTEMPT TO ARM EUROPE MAKES WAR MORE LIKELY

Second. The pact standing by itself would clearly be a deterrent to war. If Russia knows that if it starts a war it will immediately find itself at war with the United States, it is much less likely to start a war. I see and believe in the full force of that argument. That is why I would favor the extension of the Monroe Doctrine to Europe. But if Russia sees itself ringed about gradually by so-called defensive arms, from Norway and Denmark to Turkey and Greece, it may form a different opinion. It may decide that the arming of western Europe, regardless of its present purpose, looks to an



attack upon Russia. Its view may be unreasonable, and I think it is. But from the Russian standpoint it may not seem unreasonable. They may well decide that if war is the certain result, that war might better occur now rather than after the arming of Europe is completed. In 1941, Secretary Hull sent a message to Japan in the nature of an ultimatum which said, in effect, that if Japan did not withdraw from China, sooner or later they would face a war with the United States. The Japanese appear to have concluded that if ultimately there was to be such a war, it was to their interest to have it occur at once.

The arming of western Europe cannot be achieved overnight—in fact, it will be years before the European nations could resist an all-out Russian attack. During that period, I feel that the arms policy is more likely to incite war than to deter it. The distinguished junior Senator from New York, who has had so much experience in foreign affairs, said on March 8:

While the Soviet government has no present intention of resorting to war as an instrument of national policy, nevertheless, it can be assumed that the Soviet state should use the Red army if its leaders felt that their homeland was imminently and seriously threatened.

And he warned particularly against the bringing of United States military might directly to Russia's Scandinavian border.

Answering the question of the distinguished Senator from Connecticut directly, I think this arms program will very likely force the Russians into an acceleration of their arms program, so that we face an armament race, which in the past has seldom failed ultimately to produce war.

Third. The pact with the arms obligation, I believe, violates our obligations under the United Nations. The pact apparently is not made under articles 52 to 54 inclusive, because we do not propose to consult the Security Council as there contemplated, we do plan to take enforcement action without the authorization of the Security Council, and we do not plan to keep them fully informed. The pact must, therefore, be supported under article 51, which says:

Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security.

I would conclude that under this article, member nations can enter into an agreement binding themselves to exercise this inherent right of collective self-defense if and when an armed attack occurs. There is nothing said about an agreement. There is no reference to regional understandings, as there is in articles 52 to 54, but I assume that probably such an agreement could be entered to exercise that right.

It seems clear to me, however, that the right is to be exercised only "if an armed attack occurs." I do not think article 51 extends the actual exercise of this right to the arming of other nations prior to the occurrence of such an at-

tack. An undertaking by the most powerful nation in the world to arm half the world against the other half goes far beyond any "right of collective self-defense if an armed attack occurs." It violates the whole spirit of the United Nations Charter. That Charter looks to the reduction of armaments by agreement between individual nations. I do not claim that there is any direct violation of the Charter, but the Atlantic Pact moves in exactly the opposite direction from the purposes of the Charter and makes a farce of further efforts to secure international peace through law and justice. It necessarily divides the world into two armed camps. It may be said that the world is already so divided, but it cannot be said that by enforcing that division we are carrying out the spirit of the United Nations.

Fourth. The obligation to furnish arms is either a mere token obligation, or it is one of vast extent. I do not know enough about modern military equipment to make any estimate. I have heard that to provide 60 divisions, which is said to be the very minimum necessary and perhaps completely inadequate against Russian attack, would cost a total of \$24,000,000,000. We are entering on a new lend-lease. The history of these obligations has been that once begun, they cannot be easily brought to an end. Furthermore if the Russian threat justifies arms for all of western Europe, surely it justifies similar arms for Nationalist China, for Indochina, for India, and ultimately for Japan; and in the Near East for Iran, for Syria, and for Iraq. There is no limit to the burden of such a program, or its dangerous implications.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. TYDINGS. If we found out that Russia was arming other countries outside of Russia, would the Senator's position on the arms provisions be the same?

Mr. TAFT. I shall discuss that question later. I do not mind saying now that once we enter into the pact, or do not enter into the pact, I am quite willing to consider providing arms for a particular nation to meet a particular emergency. I voted for the Greek and Turkish loans to provide arms. There may be other cases. I think today the providing of arms in support of Nationalist China, where war is actually going on is something that I would approve, but that is a very different thing from building up a tremendous armament for 11 different nations, implying so far as I can see, the obligation to do the same thing in the rest of the world.

In any war the result will not come from the battle put up by the western European countries. The outcome will finally depend on the armed forces of America. Let us keep our forces strong. Let us use the money we have for armament in building up the American Army, the American Air Forces, and the American Navy. Let us keep our forces strong, and spend the money that is available for arms for those forces, because in the last analysis, we will win a war only if the United States wins the war, no matter how we assist other nations. They may

be of assistance here and there. We cannot be certain that they will fight. We cannot be sure what their position may be at the time. We cannot be sure that Communists will not take control in those nations. I believe very strongly, as Winston Churchill said, that the world depends on the strength of the American Army, and the weapons which the American Army has.

We have chosen to give economic assistance. That assistance is given on the theory that the Russians do not contemplate aggressive war, but intend to fight their battle by propaganda and a production of chaotic economic conditions. I believe the undertaking of both types of assistance is beyond the economic capacity of the United States. I believe we will have to choose whether we give economic assistance or arms. The first, I believe, has contributed and will contribute to peace. The second, I think, will make war more likely.

Fifth. The justification for the arms aid rests on the necessity of defense against Russia, but remember that once these arms are provided, they are completely within the control of the nation receiving them. They are subject to the orders of those who, at the time, control the government of the country. Those governors may be Communists or Fascists, they may be peace-loving, or they may be aggressors. In future years, these arms may be used against us instead of on our side. If Russia should choose to go to war within the next year or two, they might easily be captured by the Russians and turned against us. We would be playing a dangerous game if we encouraged every country in Europe to arm itself to the teeth. Modern arms are not toys.

It is said that arms given to European countries cannot be used by them in dealing with their colonial possessions outside the scope of the pact, but surely anyone can see that all the armed forces possessed by any country are in one pool and that the bigger that pool is, the more easily they can find arms to undertake action which may be considered aggression in their colonies.

Some years ago our Army officials were obsessed with the idea that we ought to arm the South American nations and send American military missions to each. Since that time, there has been a revolution in South America every 2 months, on the average. The arms which we might have supplied would have been used in civil war and would have fomented civil war. I have the highest regard for our Army officials, but they regard everything in the light of some particular war for which they are preparing, and fail to consider the political changes and the political problems which may arise long before that war occurs, if it ever does.

It is quite true that the economic aid we are giving will be used to build up competition for ourselves, but after all that is in the interest of international trade and, in the long run, we can look after ourselves in that field. But the assistance we give here may be used to bring about the death of American boys and the destruction of American cities.

Sixth. By approving this pact with the arms program, I believe we are committing ourselves to a particular course of action in war which may be unwise at the time when a war may actually develop. It is one thing to agree to go to war with Russia if it attacks western Europe. It is another to send American ground troops to defend Norway or Denmark or Holland or Italy or even France and England. I cannot assert positively that we are committing ourselves to a particular type of war, but I am inclined to think that we are. Thus, General Bradley testified before the committee:

Finally, after studied appraisal of the future security provisions for our country, the Joint Chiefs of Staff are in unanimous agreement that our strategy, in case we are attacked—

And that means if any member-country is attacked, if we ratify this pact—

must rely on sufficient integrated forces of land, sea, and air power to carry the war back to the aggressor, ultimately subjugating the sources of his military and industrial power. Plans for the common defense of the existing free world must provide for the security of western Europe without abandoning these countries to the terrors of another enemy occupation. Only upon that premise can nations closest to the frontiers be expected to stake their fortunes with ours in the common defense.

This appears to contemplate a land war with Russia on the Continent of Europe. It appears to contemplate an invasion along the lines which Napoleon and Hitler found to be impossible. It asserts clearly that the nations which signed this pact expect us to send American troops to defend their frontiers.

If this is their expectation, I think we are promising something we cannot do, as I said earlier. I see no way in which we could defend Italy, for it is not even permitted to have an army of its own. The defense of Norway and Denmark would probably be impossible and, if we are bound to do it, may result in the vain loss of thousands of American lives. It may be that we should conduct a war on the Continent of Europe, even though it involves again the sending of millions of American boys to fight Russians who, on land, will outnumber them four to one. But I do not think we should commit ourselves at the present time to any such program or make any such promise to our allies. We may find, if war ever comes, that our part in the war should be conducted from the air alone. We may find that the occupation of an enemy country is vain and useless if the war can be won otherwise, by the destruction of all of their military potentials. We should not commit ourselves by the ratification of this pact to the military assistance program and the plan of campaign which has apparently been promised the members of the pact.

Seventh. Finally, Mr. President, it is becoming increasingly apparent that England, at least, intends to trade extensively with Russia, and inevitably the same thing will be true of other western European nations. They have provided airplane engines for Russia, heavy machinery and other equipment which can aid the Russians' war-making potential. The more we take off their shoulders the

burden of providing for their own defense, the more free they will be to ship steel and heavy machinery to the east. As a matter of fact, trade between eastern and western Europe has prevailed for thousands of years, and it is going to go on, no matter what we say about it. Of course, the recent agreement between Russia and England is very clear evidence of that fact. We are providing extensive economic assistance. To a large extent, economic assistance and aid for arms will go into the same pot. I do not think that the American people at this time desire to increase the overall aid we are giving to western Europe with its tremendous burden on the American taxpayer.

Mr. President, since I feel that this pact is inextricably linked with the arms program, and since I believe that, so linked, the program is a threat to the welfare of the people of the United States, I shall vote against the treaty.

I am quite willing to consider the providing of assistance to particular countries, at particular times, if such aid seems at that time a real deterrent to war, and on that principle I voted for aid to Greece and Turkey. But that is a very different thing from an obligation to build up the armed forces of 11 countries, and a commitment on the American taxpayer for 20 years to give continued aid under circumstances of which we have not the slightest conception today. It is a very different thing from arming half the world against the other half.

My conclusion has been reached with the greatest discomfort. When so many disagree with that conclusion, I must admit that I may be completely wrong. I do not claim to be an expert in questions of foreign policy. I would like to be able to vote for a policy that will commit us to war if Russia attacks western Europe. I would be glad to join in an agreement to occupy Germany indefinitely to guard against a third attack from that quarter. I would waive my other objections to the Atlantic Pact if I did not feel that it was inextricably involved with the arms program. But I cannot escape the logic of the situation as I see it, and therefore I cannot vote for a treaty which, in my opinion, will do far more to bring about a third world war than it will ever maintain the peace of the world.

[Applause, Senators rising.]

Mr. KEFAUVER. Mr. President, providence has so arranged it that we are considering ratification of the North Atlantic Treaty in the historic chamber where the Senate met in the early years of the Republic, when this great Federal Union of ours was an experiment whose testing had but begun. When the Senate came to this city it had only 32 Members. My own State of Tennessee was the youngest of the 16 States that then formed the Union, and "We the people of the United States" were only a little more than 5,000,000 strong.

"God works in a mysterious way His wonders to perform." He has blessed this Federal Union beyond the dreams of its founders; He has brought it to the highest pinnacle of both power and freedom that any people ever knew;

He has faced it now with one of the decisive turning periods in history; and He has brought us now back to this hallowed historic hall to make the decisions on which this epoch will turn, for good or for ill. I find it altogether fitting that this should be. No surroundings could be more conducive to wisdom than these. They bring us all more intimately together to counsel one another. They evoke inspiringly the human principles that created this Federal Union and the great progress to which their practice has already led. I stand here in no little awe.

I have given the North Atlantic Treaty the most earnest consideration of which I am capable, and I have come to this conclusion:

I shall vote for its ratification, without reservation, but I consent to it only because I see it as a necessary interim measure, a measure that will gain the time needed to explore in peace a far more promising prospect—the possibility of eventually uniting the democracies of the North Atlantic by our own basic Federal principles into a great Atlantic union of the free.

#### WHAT IS OUR PRIME POLICY?

My approach to this treaty may be summed up as follows: First, what should be the prime purpose of our foreign policy? Second, will ratification of this treaty achieve or serve that purpose?

My answer to my first question is that the prime purpose of our foreign policy should be to secure our free way of life without having to fight a recurring world war every generation to do so. Twice in our lifetime we have sought to gain this.

I doubt that any of us would disagree that this should be our basic purpose. But policymakers are so absorbed by day-to-day problems that they tend to forget this purpose, and the peculiar responsibility it places on all of us here. To overcome dictatorship and would-be world conquerors without war has proved to be a far harder thing than to vanquish it by war. It requires wisdom, vision, boldness, sacrifice even more than does victory by war. And it requires them of us, the older men and women; the parents, not the children; the statesmen, not the youngsters. If we fail, then their turn comes, and the only thing that can save our freedom thereafter is their sacrifice and their daring.

Twice in our lifetime we have sought to secure our freedom without war. Twice we have failed. Twice the boys have had to save the day, make up for their elders' lack of vision, wisdom, self-sacrifice, and courage. And twice we have seen that merely to win by war is no enduring answer, even though the surrender be unconditional and we occupy Tokyo and Berlin. Twice we have seen that all the sacrifices of our youth cannot secure our freedom without another war if their elders remain unwilling to sacrifice dangerously narrow, selfish views, disastrously outmoded concepts, fail to tackle the problem with the vision and courage that success requires. Twice we have failed to achieve our prime purpose, and we dare not fail again. But to succeed we must keep always in mind, not only what our purpose is, but the



special responsibility it places on each of us here in the Senate.

#### WILL RATIFICATION ACHIEVE OUR PURPOSE?

In this spirit I would approach the second question: Will ratification of the North Atlantic Treaty achieve or serve this prime purpose? The question is involved, and the answer can only be reached after considerable weighing of the lessons of history. In the end the answer, in my opinion, must be definitely in the affirmative.

Unquestionably this treaty represents a profound change in the policy of this Republic. We cannot be unmindful of that, in this hall which takes us back to the days of Jefferson's first inaugural, when he laid down the policy of "entangling alliances with none." But this small chamber reminds us too of the vast changes that have since occurred, not only in the power and status of this Union in the world, but also in science and technology, in the means of communication, and of destruction.

When Senator Andrew Jackson came to represent my own State of Tennessee in this hall in 1823, he had to make the trip of 860 miles on horseback, all except the last leg of it, from Staunton, Va., to this city, which he made by ship, and even that short leg took him 5 days. Now I can make that trip from Tennessee in fewer hours than it took Andrew Jackson weeks.

Wisdom counsels us to cling to policies that have long served us well. We have, until recent years, clung tightly to the Jeffersonian policy. We sought to achieve our prime purpose, of securing our free way of life without world war, by neutrality in 1914, when the airplane was in its infancy, and we failed. We clung to it still, rejected the Wilsonian guaranty of France and the Covenant of the League of Nations as entangling alliances, and relied on neutrality to achieve our purpose. Again we failed and much more disastrously than before. In 1941, the airplane was only in its childhood, yet it proved capable of destroying overnight the control of the Pacific on which we had spent billions. At the time of the Pearl Harbor disaster, the airplane had not yet burst through the sound barriers to speeds that seem fabulous now, but will no doubt seem slow in 1960 or 1970. Neutrality and isolationism failed dismally to save us when the guided missile and the atomic bomb were still unborn. Save at the cost of still worse catastrophe, we cannot continue to cling to such policies while these fearful weapons are growing by jumps and by jets.

If wisdom counsels us not to abandon lightly policies that have long proved good, it tells us too, not to cling to them blindly when they are producing worse and worse disasters. It reminds us that policies that worked in one set of conditions may fail in others, and that when they do we must adapt ourselves to the world we live in or we will perish.

The fact that this treaty marks a decided change from the Jeffersonian policy is, therefore, no longer an argument against it; it is rather an argument for it, since safety compels us to make some decided changes. We cannot be more entangled by a treaty than we already

are by the facts of modern life, and it behooves us to remember that these conditions of life tend to entangle us more and more every year, not less and less.

That the Senate and the people of the United States have already recognized this is proved by their overwhelming acceptance of the Charter of the United Nations. That represents no little change, but unhappily it is only too evident that, with all the good that the United Nations does and that more than justifies our continued support of it, the United Nations is not strong enough, as it stands, to achieve our purpose. It must be greatly strengthened, but it is evident that it must be strengthened in some way that cannot be vetoed by a potential aggressor. Consequently, it must be strengthened in some way that involves no amendment of the charter.

The North Atlantic Treaty meets this first test; it requires no change in the charter. It is made under the permission which the charter expressly grants. Does it, however, strengthen the forces of peace enough to achieve our prime purpose? I sympathize fully with the misgivings that many have in this regard. And here I would pause to pay a tribute to the distinguished senior Senator from Missouri and the junior Senator from Utah whose earnest desire to get at the truth first-hand led them to participate in the hearings of the Foreign Relations Committee on this treaty, and to that committee and its eminent chairman for permitting them to do this. I think they have done us all a service thereby and brought out many facets of this difficult problem that might not otherwise have been seen.

#### THE DILEMMA WE FACE

Certainly the result has been to make clearer a basic dilemma that lies at the heart of this treaty. As was said by the Senator from Utah [Mr. WATKINS], in the Senate June 1, many believe that by this treaty "we can give positive assurance of our help to our European allies and at the same time preserve freedom of action by Congress." The dilemma is that the more positive assurance of help we give, the less we can preserve our freedom of action, and the more we preserve it, the less certain is our aid to our allies. The treaty's carefully worded text seeks to balance on both horns of this dilemma, and does this, in my judgment, about as well as can be done.

If we strengthened the treaty's positive assurance to our allies to the point where the alliance was automatic, we would not only be disregarding constitutional processes which we are bound to maintain, but we would be incurring the danger of handing a blank check to nations who would remain free to follow policies that could lead to war. They would each retain their independent sovereignty not only as regards policy but as regards their armed forces; and the more automatic our guaranty to come to their aid if they got into war, no matter what they did, the more ineffective would be the voice we had in shaping their peacetime policies.

On the other horn of the dilemma, if we seek by reservations to emphasize our constitutional processes and our free-

dom of action more than the treaty already does, we fall into the danger of encouraging the potential aggressor to attack in the belief that we will not come to the aid of our allies, or will come too slowly or too late. There is no safety in this course either.

Certainly any step we take in this direction would weaken the effect of the treaty in preserving peace. At best, the adoption of any reservations, however good in themselves or well-intentioned, would encourage doubt as regards the treaty, if only by requiring the reopening of negotiations and delaying its going into effect. Consequently, I would vote against any reservation to the treaty.

The question is, Does this treaty strengthen the forces of peace enough to achieve our prime purpose? The more we try to keep from being entangled by the treaty, the weaker it becomes. What good are such efforts to pull away from the full implications of the treaty, especially since the situation is such that we are bound to be entangled in any major war, treaty or no treaty and no matter what reservations are made to it.

The chief objection to the treaty, it seems to me, is rather that at best it cannot be relied on to strengthen the side of peace enough to achieve our prime purpose. Alliances are notoriously unreliable, even the most automatic ones. Back in 1788, Alexander Hamilton pointed out in No. 15 of the *Federalist*:

In the early part of the present century there was an epidemic rage in Europe for this species of compacts, from which the politicians of the times fondly hoped for benefits which were never realized. With a view to establishing the equilibrium of power and the peace of that part of the world, all the resources of negotiation were exhausted, and triple and quadruple alliances were formed; but they were scarcely formed before they were broken, giving an instructive but afflicting lesson to mankind, how little dependence is to be placed on treaties which have no other sanction than the obligations of good faith.

The lesson was not learned, and the afflictions have continued. Consider merely the record in our own time. Can any Senator name a single alliance in this tumultuous period that achieved the purpose for which it was made? I hope there is at least one exception—though that would only help prove the rule—but I have looked in vain for it.

Just as this alliance was negotiated as a means of achieving our purpose without war, so every alliance was made to achieve without war the ends of its signers. Yet Germany, Austria, and Italy did not avoid World War I through the Dual and Triple Alliances. Nor did France, Britain, and Russia avoid war through the Entente Cordiale and the Triple Entente and the Franco-Russian Alliance. The Locarno Treaty of mutual guaranty; the Little Entente; the Franco-Polish, the Franco-Czech, the Franco-Yugoslav, the Franco-Rumanian, the Franco-Soviet, and the Franco-British Alliances; the Axis alliances; none of these served to gain the purpose of any ally of winning without World War II.

A worse record could hardly be imagined, but the record is in fact, still worse.

Not only did all these alliances fail to save a single ally from war; they did not even suffice to win the war for any of them. The Triple Entente did not win World War I; it broke down with the Russian revolution in 1917. The Franco-British alliance did not win World War II; it broke down even earlier, less than a year after the war began. Both wars were won only after the United States was drawn into them.

#### THE GREAT WEAKNESS IN ALLIANCES

The great weakness in the alliance method which is responsible for this sorry record is the uncertainty that lies at the heart of any such treaty. However unequivocal its text may seem, the fact remains that each ally retains his sovereign power to interpret the terms of the treaty to suit his own interests. This is inherent in the very nature of an alliance in the fact that it is an agreement between sovereign states, in contradistinction, for example, to a federal union constitution, which is an agreement made by sovereign citizens. It is this uncertainty about whether an alliance will function or not at the showdown that leads to their failure. It encourages the adversary to hope that he can contrive to split the allies apart, and it makes each ally continually fear that he will be left in the lurch by the others just when he is most in need of aid. I have heard not a few Americans express doubt that we could depend on certain of our allies under this treaty in the event of war, particularly if we were attacked in the Far East. I understand there are Europeans who express the same doubt about our coming to their aid if they are attacked, particularly at a time when our occupying troops in Europe have been withdrawn.

Yet there are those who would have us increase with reservations the uncertainty that is inherent in this treaty, and that makes it already so doubtful an instrument for the achievement of our prime purpose.

How far, our constitutional rights are already safeguarded in this Treaty was brought out by that eminent jurist, Owen J. Roberts, former Associate Justice of the United States Supreme Court. On May 6 he testified before the Senate Foreign Relations Committee in favor of ratification of the treaty as a step toward the formation of an Atlantic Federal Union, a fact that greatly encourages me in taking the same stand. On page 556 of the report of these committee hearings, I find this passage:

Mr. ROBERTS. I suppose you realize that although this treaty is a 20-year treaty, the body of which you are a member could revoke it in 2 years, under our present Constitution.

Senator DONNELL. You do not mean the Senate could do it?

Mr. ROBERTS. I mean Congress could do it. Senator DONNELL. Under what provision do you mean? The provision in regard to 2 years beyond which provisions for war cannot be—

Mr. ROBERTS. No. I mean the treaties of the United States are on the same parity with law.

I think you are familiar with the fact that a law passed by Congress inconsistent with the treaty repeals the treaty.

Senator DONNELL. That is correct. But I understood you to say something about 2 years.

Mr. ROBERTS. I say 2 years, 5 years, or 10 years.

We may feel confident that once this treaty is ratified, Congress will not exercise this power to revoke it in whole or in part. But I submit that the issue does not turn only on our own certainty as to what we shall do. The value of this treaty in achieving our prime purpose of securing freedom without war turns also on whether all our allies will share this confidence that we shall never exercise this power. It turns even more on whether the master of the Kremlin believes in our good faith as we do, and in that of our allies as they do. Does anyone think that he holds this high opinion of any of us? Does anyone believe that he would put it beyond Congress to use this power to revoke the treaty whenever Congress thought this suited the interests of the United States?

Surely, the more the Kremlin doubts that this treaty will be carried out, the less it will be discouraged from aggression and the less we are likely to achieve by this treaty our prime purpose of securing freedom without war. So the treaty does not prevent us from being exposed to this danger.

#### WHY THE PACT SHOULD BE RATIFIED

Since an alliance is usually an unreliable means of preventing war, it may well be asked why we should ratify this treaty.

My answer is that we should ratify it because of certain practical considerations. However poor a reed we may consider this treaty, it has already been signed. Refusal to ratify it now, because it fails to remove entirely the uncertainty that makes for war, would not lessen that uncertainty, but increase it to the highest degree. We should not forget, much as we should deplore, that the memory of the Senate's rejection of the League of Nations Covenant after President Wilson had signed it, and of the revised World Court protocol after that great Republican statesman, Elihu Root, negotiated it at Geneva in 1929, already makes many Europeans regard the United States as a very uncertain quantity. Nothing could strengthen this feeling more than our refusal now to ratify this treaty. Only the potential aggressor could gain by such an upset—and what encouragement he would gain.

Moreover, our Government in negotiating this treaty was dealing with an urgent situation. The blockade of Berlin, we should not forget, was at its height when these negotiations began. The fears it roused were retarding the recovery of our friends in western Europe. They needed reassurance, and they needed it quickly. This treaty, with all its faults, was the quickest practicable means of reassuring them.

Although the treaty is too uncertain an instrument to be trusted permanently to achieve our prime purpose, it can be very useful as a means of gaining the time we need to work out the instrument that will do that job. Although alliances may not suffice to prevent war

very long, they have served to defer war. The trouble has been that their supporters have failed to use this time wisely, failed to use it promptly to replace the alliance with something much more reliable. That something is, in my judgment, our own United States Federal union system. The recent formation of the Atlantic Union Committee and the support it is receiving greatly encourages me to believe that if we ratify this treaty the time we gain by it will be thus wisely employed. This committee proposes that first we ratify this treaty and next we pass a resolution inviting its sponsors to meet with our delegates in a convention to explore the possibilities of uniting them, within the framework of the United Nations, in a Federal union, limited though it might be. Admittedly it would have to be a limited federation to begin with, but a start can and should be made. All three of the committee's leading officers testified before the Foreign Relations Committee in support of this policy and I would earnestly commend their testimony to the study of my fellow Senators.

It will be evident that this policy has already passed a very careful scrutiny by men of the highest level of experience, whose judgment we all respect, when I say that these three leaders of the Atlantic Union Committee are: President, former Justice Owen J. Roberts of the United States Supreme Court; vice president, Robert P. Patterson, former Secretary of War; and Will A. Clayton, former Under Secretary of State for Economic Affairs.

#### FEDERAL UNION WOULD ACHIEVE OUR PURPOSE

What is this proposal of Atlantic union? In essence, it means that we would rely for the achievement of our prime purpose not merely on the preservation of our constitutional processes, but on the extension of these constitutional processes to govern our relations in this field with the other democracies of the North Atlantic.

Much has been said of the United States Constitution in the discussion of this treaty, but it seems to have been forgotten that our Constitution is itself a foreign policy. It originated as a basic foreign policy to govern the relations of sovereign States with each other, and with all the rest of the world. It began as an answer to the kind of problem we and the other Atlantic democracies now face, how to secure our liberty without another war. It began when an attempt to solve this problem by an alliance—the Articles of Confederation, in some respects much closer and stronger than the treaty before us—had failed to work even among 13 States whose people had more bonds in common than the 12 signatories of the North Atlantic Treaty.

Faced with the dangers of war, depression, unemployment, inflation despite their Articles of Confederation, the delegates of the earliest Atlantic democracies met in a convention at Philadelphia in 1787—met, to quote one of them, William Paterson of New Jersey, "as the deputies of 13 independent, sovereign States." There they worked out our Federal Constitution as the solution to their



common problem in foreign policy, as the basis of their relations with each other.

They adopted it, as its preamble states, "in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity."

How much we are reminded of this preamble by these objectives listed in the preamble of the treaty now before us:

To safeguard the freedom, common heritage, and civilization of their peoples, founded on the principles of democracy, individual liberty and the rule of law \* \* \* to promote stability and well-being in the North Atlantic area \* \* \* to unite their efforts for collective defense and for the preservation of peace and security.

The objectives are basically the same, now as then, but how different the policy for achieving these objectives. The North Atlantic Treaty, like the Articles of Confederation, forms a mere alliance of governments; the Constitution of the United States formed a Federal Union of their people, with powers divided between their new common government and their separate State governments with a view to securing thereby the freedom, prosperity and peace of all their citizens, and keeping government obedient to them.

With this Federal Union man-to-man instead of government-to-government policy toward each other, the people of the 13 States peacefully settled 11 territorial disputes in which their governments were engaged under the Articles of Confederation—disputes that in some cases threatened peace. They quickly put the dollar—then "not worth a continental"—on a firm foundation, changed bankruptcy to boom, converted depression into the greatest and most enduring prosperity the world has ever known.

#### THE CONSTITUTION—OUR FORGOTTEN FOREIGN POLICY

The history of the United States since the establishment of the Constitution down to our times has been the extension of this foreign policy of federating with men instead of merely allying with States. This policy of Federal Union which once governed the relations of only 13 States and hardly 3,000,000 free people now governs the relations of 48 States and 143,000,000 free people of all creeds, colors, and nationalities. It has not been perfect, but it has secured unprecedented liberty, prosperity, and peace to the citizens of every State that adopted it.

With one exception every generation of our people has gone on extending to more and more States and more and more men this policy of a common free government, a common defense force, a common currency, a common postage stamp, a common market, a common bill of rights, a common guarantee of the independent right of the people of each State in the Union, large or small, to govern themselves as they see fit in every field which they have not transferred to the Federal Union.

The one exception, the one generation that has not gone on extending the area governed by this great foreign policy that

converts foreign relations into domestic relations—is our own generation. We have mistaken the Constitution for a purely domestic or national policy. Both our great parties and all their administrations have forgotten, through all the problem-crowded years since 1914, that the Constitution began as a foreign policy, and has proved ever since the best foreign policy that any free people can practice toward other free peoples. During this period they and the great institutions that specialize in international relations and peace have been exploring and propagating all kinds of solutions to our foreign problem—all, that is, but the one which the Federal Constitution itself represents. The result is that we have gone from one world war to another world war, from one league to another. We have gone from conflict with one aggressive autocrat to a still more menacing one. For all our plans and policies, and for all our poured-out treasure and blood, we find ourselves with recovery receding and bankruptcy threatening part of the free. And we face a formidable dictatorship whose knout rules from Berlin to the Sea of Japan, whose lieutenants have only recently overrun China and whose fifth columnists are to be found in every nation.

It is high time, I say, that our Federal Union Constitution ceased to be the forgotten foreign policy of the United States.

#### SEVEN REASONS FOR EXPLORING UNION

Consider for a moment the great and immediate advantages we would gain if we followed up the ratification of the North Atlantic Treaty by calling in our time another Federal convention merely to explore, with the other sponsors of this pact, the possibilities of achieving our prime purpose—and theirs—by applying the principles of our Constitution to form another, though limited, a great Atlantic union of the free. Let me mention only seven of the advantages to be gained merely by attempting to work out a similar, though presently, constitution with them:

#### IT STRENGTHENS THE PRESENT PACT

First. By promptly following up the pact with the convocation of this federal convention, we give—and get—a much stronger guaranty than we do by the present treaty. The potential aggressor then will know for certain that if he attacks any of the democracies at the convention all the others will spring to its rescue. No one can doubt that every signatory of the pact would thus react if another member were attacked while sitting in a constitutional convention with it. The best guaranty is thus given each democracy by all—the kind of guaranty that is needed to impress all the world and Moscow most of all—and yet it involves no further legal commitment.

#### AIMS AT FORMIDABLE FORCE

Second. The Kremlin would know that a federal convention meant that we were working on something far more formidable than the best staff agreements that can be made under an alliance—that the democracies were aiming to create a federal defense force.

#### WOULD CUT COST OF DEFENSE

Third. By the same token the Kremlin would also know that the democracies were on the road toward securing much stronger armed power at much less cost—thus freeing more production for civilian recovery, and ending the Soviet hope of economic disaster delivering Europe to communism without a battle.

#### FACES DICTATOR WITH DILEMMA

Fourth. The Kremlin would be thrown at once into this dilemma: The more hostile it was toward the convention, the more it would thereby hasten the last thing the Kremlin could want—agreement by the Atlantic democracies on a federal constitution.

#### STIMULATES RECOVERY

Fifth. The calling of the convention would not interfere with the work of the ECA or with the creation of the council which the North Atlantic Treaty calls for, or its implementation in other respects, or the rearmament of western Europe. It would allow us to supplement these first-aid measures by tackling simultaneously the three major questions—economic, monetary, and military—which we are now trying to handle only piecemeal. The fact is that they are so closely interrelated that the best hope of solving them lies in wrapping them up in one package—as was done in the Federal Convention which framed our Constitution in 1787.

Psychology plays an important role in business affairs. Merely by rousing the hope of ending such problems as the dollar shortage, through the creation of a common currency, and the immense stimulus to production that federation brings, the calling of the convention would help prevent the present recession from developing disastrously.

#### TAKES DICTATOR BY SURPRISE

Sixth. The psychological side is no less important as regards the cold war. To overcome dictatorship by the other kind of war the young, as I said earlier, have to be bold. The achievement of our prime purpose of decisively turning the tide against dictatorship without war requires boldness, too, but not in the boys—it requires us, here in this Hall and in the executive department. It requires us to "get there fustest with the mostest," to take the aging revolutionists in the Kremlin by surprise, to rock them off their balance by swiftly following ratification of this North Atlantic Treaty with the calling of an Atlantic Federal Convention. Our ratification of this treaty will surprise no one, and certainly not the Kremlin. But for us to call this constitutional convention will do more than make dictators feel weak in the knees. It will come as a great and pleasant surprise to many Americans. It will give all our citizens, and free men and women everywhere, the unbeatable feeling that comes when your free institutions surpass your fondest hopes just when you feared they were failing.

#### COMMITTS US ONLY TO EXPLORE UNION

Seventh. By merely calling this convention, we get all these advantages, and this added one, too: We gain all this with no commitment except the obligation

to explore as earnestly and carefully and honestly as we can the possibility of federating with other democracies on the basis of our own constitutional principles. Impressive as the term, "Constitutional Convention," rightly is, yet such a convention cannot possibly commit those who call or attend it to anything more than a serious attempt to work out a better system of governing their relations than the one that exists. To stress this point is not to finagle, or deprive the convention of its psychological effect. Democracy itself forbids any democracy to commit its people to any constitution before they have seen it.

Democracy requires us and every democracy to reserve to the people the right to ratify or reject any constitution a convention may draft. We can lose nothing by calling this convention—and we stand to gain more than anyone can imagine.

#### PUBLIC REACTION TO UNION PROPOSAL

The question naturally arises as to what support this proposal for a convention to explore the possibilities of a North Atlantic federation has among the people of this country and all the other Atlantic union nations. I have a definite feeling that the people are far ahead of us Members of Congress in their thinking on means and methods of maintaining peace. All the polls show that the people definitely want our country to take the lead in this regard.

In the State of Tennessee, in the last election, I made the proposal for a limited federal union of the North Atlantic democracies an issue in the campaign and the proposal met a hearty response from the people of the "volunteer" State. Other Members of the Senate and of the House of Representatives from other States have told me that they had similar experiences in their campaigns. The people unquestionably want Congress to take those steps that may be best calculated to preserve peace and avoid a third and devastating world war.

The people of the other nations involved have the same attitude, in my opinion. I have had the opportunity of talking with a number of members of some of the legislative bodies of the various countries included in the Atlantic Pact and with private citizens of those countries. They agree that the treaty is a useful and necessary interim measure, but that we can never have a real unification of the armed forces of the nations involved, or a common foreign policy, or a necessary economic cooperation until we have a limited federation. The attitude of most statesmen of other North Atlantic democracies with whom I have talked is very well summed up by an expression of Jean Monnet, who is a distinguished French leader and statesman. In the Chicago Sun of June 11, 1949, Monsieur Monnet is quoted as saying:

Now it seems quite certain to me that, if left to ourselves, we of western Europe will organize nothing that matters. We will talk a lot and make some little arrangements between countries that actually don't count every much.

We will have all kinds of treaties, pacts, alliances, unions, councils, leagues. But no one European country will give up anything it considers important for the sake of

the larger unity. France and Britain won't get together, as they must, and decide what must be done with the Germans.

There is one big hope at present, but I am rather inclined to think it is only a hope. If your Government in Washington were willing to offer free Europe an Atlantic federation, an Atlantic society, it might awaken us to the revolutionary possibilities of our age.

#### THE HOOVER COMMISSION RECOMMENDATIONS

Mr. McCARTHY. Mr. President, I was very much disturbed when the President today sent down his request to the Congress for action in this session—disturbed not by what was contained in the request or by the action he asked us to take, but by the very significant omission. I believe all of us have considered the streamlining of the Federal Government, following through on various of the important Hoover Commission recommendations, as one, if not the most important of the tasks with which we have to deal.

The President has led the country to believe, by statements he had made, that he is behind the Hoover Commission recommendations. He has led the Nation to believe that we should practice economy where it can be done without impairing the services that the people receive from our Government. He has publicly, as I recall, admitted that if we put into effect the Hoover recommendations, the services which the people receive will not be impaired, and that tremendous economy can be effected.

Mr. President, I frankly cannot understand the action of the President today when he made the request for certain actions on the part of the Congress and made no mention whatsoever, even by inference, of the Hoover Commission recommendations. In effect that means that the President has today asked the Congress to adjourn without passing a single additional one of the Hoover Commission recommendations. I think it would be nothing less than a tragedy if the Congress adjourns without passing any further legislation recommended by the Hoover Commission. I think we should stay in session until we pass all the bills dealing with the major Hoover Commission recommendations. I think the very minimum action we should take is the passage of the bills dealing with Personnel and the Postal Department. Those bills are pending before a Senate committee and a House committee. Mr. Hoover has wholeheartedly endorsed those two bills, and has stated that a combination of the two will save roughly \$800,000,000 a year without in any way impairing the services anyone receives from the Government.

As we know, the Hoover Commission made 19 reports. Each report contains major recommendations. The President sent down seven plans, which allegedly—I emphasize the word "allegedly"—which allegedly conform to the Hoover Commission recommendations. However, upon examining those plans we can see that is not true. They cover but abbreviated sections of the reports. For example, his plan covering the Labor Department contains only

one-fifth of the recommendations made by the Hoover Commission.

I do sincerely hope, Mr. President, that both the Senate and the House refuse to follow the President's recommendation that we adjourn without doing anything further respecting the Hoover Commission reports. In fact, I think—and I weigh my words well when I say this—I think that the President's action in misleading the public into believing that he favors this type of sensible economy, this economy which can in no way adversely affect anyone, misleading the public into believing that he favors that economy and then turning around today and saying by inference, "I want the Congress to adjourn without passing a single one of those bills"—is a very, very shameful act on the part of the President of the United States.

#### THE SITUATION IN THE FAR EAST

Mr. KNOWLAND. Mr. President, I desire to speak very briefly, and then ask to have inserted in the Record as a part of my remarks several newspaper and magazine articles relating to the situation in the Far East. First, I wish to refer to the treatment of one of the vice consuls in the city of Shanghai. The late press dispatches and word I have received from those in the Department indicate that the representative of the American Government was badly beaten during the period of his incarceration and following his arrest. He was held incommunicado for a period of time. The official representatives of the United States Government had difficulty in getting to him, and at least a couple of days passed before they were finally able to bring about his release.

Mr. President, those in charge of the far eastern policy of the Government of the United States have a considerable responsibility on their shoulders in regard to this matter. For a period of now several years, the American consul in Mukden has been practically held within the compound. During the period of time we left the American Ambassador in Nanking the Senate will recall that the Chinese Communist soldiers entered the embassy compound, forced their way into the Ambassador's bedroom, and beat one of his secretaries in the process, though they did not harm the Ambassador himself. This latest incident in Shanghai is another indication of what we may expect from the Communist forces which have overrun a considerable part of China.

Mr. President, the reason I say that we have a considerable responsibility is because we exercise considerable influence. The proper thing for the American Ambassador to have done was to have followed the Government which is the recognized Government of China. The American Ambassador has no business being in Nanking at the present time. Some of the other nations followed the Government of China to Canton. The Russian Government correctly sent their ambassador to follow the Government which is the recognized Government of China. It seems to me that the State Department, if they have not already done so, should instruct the American Ambassador to go to the seat



of the Government of China, and that is in Canton.

Mr. President, I ask unanimous consent to have printed as a part of my remarks an article which appeared in the New York Herald Tribune under date of July 9, which deals with the case of William B. Olive, American vice consul in Shanghai.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### AMERICANS IN CHINA

Mistreatment of Americans by the Chinese Communists is becoming more serious. William B. Olive, an American vice consul, was arrested and beaten by police in Shanghai after his jeep became entangled in a traffic jam caused by a parade. Members of the American consular staff at Mukden in Manchuria, virtual prisoners for months and denied communication with Washington until recently, are now to be "permitted" to depart. An American editor in Shanghai, Randall Gould, has been compelled to make a public apology because of a ludicrous complaint against his wife. The charge against Mrs. Gould, a woman of modest size and strength, was that she injured several Chinese when she pushed her way through a group demonstrating at her door.

These reprehensible acts of the Communists are easily explained. The principal cause is the need of the Chinese Reds to obscure the fact that the real imperialists in Asia today are their Russian friends and allies. The Soviet Union has virtually taken over Manchuria after stripping it of the industrial machinery that might have been used to make China strong and prosperous. Although Manchuria is Chinese in every sense—legally, by population, by language, and by culture—it is now governed from Moscow. In addition, the Soviet Union has literally taken possession of the small state of Tannu Tuva, has Outer Mongolia as a satellite, and is gradually extending its influence in Chinese Turkestan. Beyond all this, of course, Moscow is the ideological home of the Chinese Reds. They follow every swerve and twist of Moscow's propaganda line, no matter how injurious to China's interests the line may be.

To distract attention from the imperialism of the Soviet Union, which so much resembles that of the Russian czars, the Chinese Communists constantly attack Americans in general as imperialists and try to arouse the anger of the people against any individual Americans who happen to be convenient victims. They are conscious of the wrath against the Soviet Union that would be aroused in China if the truth about what it is doing were generally known. Their need to conceal the activities of the Russians is so great that they are adopting extreme measures to achieve their purpose.

Mr. KNOWLAND. Mr. President, I also desire to have printed as a part of my remarks an editorial entitled "Policy in the Far East," recently published in the Washington Daily News.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### POLICY IN THE FAR EAST

Senator KNOWLAND, of California, submits that the United States should have an intelligent, sound policy in the Far East. That it should be consistent with the American position in Europe, instead of encouraging communism in China as the State Department has been doing.

He is supporting the Atlantic Pact, regarding it as vital to American defense and to world peace. But it does not make sense to him, he says, to guard our front door on the

Atlantic while leaving open our back door on the Pacific.

We do not see how the State Department's present position could make sense to anyone. If international communism is a threat to us, and certainly it is, this country should be opposing it everywhere, not making concessions to it in Asia while trying to block it in Europe.

There is immediate occasion for alarm about the situation in the Far East, where communism actually is on the march. While the State Department waits for the dust to settle in China the rest of Asia is being exposed. There is shooting in Burma and Indochina. The Communist rebels there may be reinforced at any time by Red armies pushing southward from China. Border skirmishes are broadening into civil war in Korea. If South Korea falls to the Reds, Japan may be the next target.

So far, the State Department's only reply to Senator KNOWLAND's legitimate demand for a statement of American policy has been to repeat that a white paper is in preparation which will reveal the alleged corruption and inadequacies of Nationalist China under the Chiang Kai-shek regime. As if that had anything to do with what the Senator is talking about.

The primary concern of the American people is their own security—not the merits or demerits of any regime in China, past or present. This is something the State Department's Office of Far Eastern Affairs does not seem to understand. It has been working so long to build a case for the Chinese Communists that it cannot see any relationship between communism in China and international communism.

Mr. KNOWLAND. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an editorial entitled "Abandoned Ally," published in the New York Mirror of June 7, 1949. It deals with the American treatment of the National Government in China.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### ABANDONED ALLY

Chiang Kai-shek should be one of the world's most discouraged men, and he has reason to be utterly disillusioned about his erstwhile ally, the United States.

What our State Department has done to Nationalist China constitutes a most tragic sell-out.

In the crimes of Yalta and Tehran, the then rulers of this country acquiesced in the partition and disruption of China by Soviet Russia—even at that time a grudgingly belligerent and now a declared enemy dedicated to world conquest.

In the dismal Marshall mission to China, this country actually maintained that the Communist elements must be welcomed by Chiang in the formation of a coalition government and an armistice was forced which weakened the successful Nationalist Armies and allowed the Communists—ably abetted directly by Moscow—time to prepare for the offensive which now threatens not China alone, but all Asia, including India.

While United States resources are poured extravagantly into Europe with the announced intent of halting communism, the Red wave moves over Asia unopposed by the United States.

Not only unopposed.

Roscoe Pound, dean emeritus of the Harvard Law School, charges our State Department has aided the China Reds and is maneuvering to extend them recognition and economic support.

"Instead of ranging ourselves with constitutional government in China," he says, "we

have been doing what we could to destroy it and are threatening constitutional government everywhere."

One wonders what sort of a "house divided against itself" our State Department is.

The situation in China is admittedly bad, but not irredeemable.

A great message of hope, which should reassure the free world, has just come from Chiang Kai-shek in his interview with Howard Handelman, far-eastern director of International News Service.

The Chinese leader, successor to the great Sun Yat Sen, reveals that a master strategy plan has been drawn up by Nationalist political and military leaders and that, with even a minimum of American aid, the Chinese Communists can be beaten before they overrun Asia and make World War III inevitable. He said:

"The fight against communism in China is a fight for the peace and security of the free world \* \* \* I take it that the United States, with which we fought together and bled together, will not be indifferent to what is going on in China."

The United States—if by that is meant the American people—is indeed not indifferent.

The indifference has been in our State Department, with its double-dealing policies and its failure to extend even the moral support of the United States to Nationalist China.

The chips are down all over the world.

Communism in China is no different from communism in Poland, Czechoslovakia, Hungary, or the Soviet Union itself.

It is directed by the Kremlin and its allegiance is to the Kremlin.

Even a statement of our traditional friendship for free China would be of immeasurable value at this time.

Even a minimum of American arms and a fraction of the wealth that is being flooded upon Europe can forestall incalculable misery.

The decision must be made and made now.

This is the people's issue. Our State Department, still infected with rotten Red apples, must not be permitted to mortgage the people's safety by the callous abandonment of a great ally.

Mr. KNOWLAND. Mr. President, for a long time a great deal of "hogwash" was put out by some of those closely connected with the Government of the United States, to the general effect that the Communists in China were really only agrarian liberals. I do not think that even those who participated in disseminating that misinformation to the American people now believe it, because Mao Tse-tung himself has indicated just where the Communists of China stand.

There recently came into my possession a document which I think every Member of the Senate should read. I shall not ask that it be printed in the RECORD, because it is somewhat long; but I shall certainly make my copy available, and perhaps additional copies can be obtained. It is entitled "Constitution of the Chinese Communist Party Adopted by the Seventh National Party Congress, Yenan, June 11, 1945." It was translated and edited under the supervision of Mr. H. Arthur Steiner, professor of political science at the University of California, at Los Angeles, and he has a 1949 copyright on it. In his introductory note he states that:

No objection is raised to the reproduction of this translation, in whole or in part, and without special permission, if the source is indicated.

I wish to read several paragraphs from the first page of the constitution of the Chinese Communist Party, under the general head of "General introduction":

The Chinese Communist Party is based on the principles of Marxism-Leninism and the combined principles derived from the practical experience of the Chinese revolution—the ideas of Mao Tse-tung—as the guiding principles of all its work.

A little further on we find the following:

This revolution has extensive allies at home and abroad. Therefore, the tasks of the Chinese Communist Party in the present stage are: Internally, to organize and unify Chinese workers, peasants, petite bourgeoisie, intelligentsia and all anti-imperialists and antifederal elements and national minorities on its side; and, externally, to unite with the world proletariat.

The next paragraph says:

In the future stage of the Chinese revolution, after the complete victory of the national democratic revolution, the task of the Chinese Communist Party will be to struggle, by necessary steps according to the requirements of China's social and economic development and the will of her people for the realization of socialism and communism.

Mr. President, it is a very naive person, indeed, either in the State Department or out of the State Department, who would believe that the Communists in China are only agrarian liberals. They are a part of the international conspiracy to destroy every free and independent government in the world. Those who have led us down a blind alley, those who have followed a bankrupt policy in the Far East, have a heavy responsibility upon their shoulders. Were this a parliamentary government rather than the type of government we have, there would be some in high places in the State Department who have been in charge of our far-eastern affairs who would either resign or be removed from office.

Mr. President, I also ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an article entitled "Last Call for China," written by Maj. Gen. Claire L. Chennault and published in Life magazine for last week.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

**LAST CALL FOR CHINA—A FIGHTING AMERICAN SAYS THAT A THIRD OF ITS GOOD EARTH AND 150,000,000 PEOPLE CAN BE SAVED**

(By Claire L. Chennault)

(In China last week Communist Dictator Mao Tse-tung shattered an illusion long cherished by many an American—the illusion that China's Communists are "different." Said Mao, "We belong to the anti-imperialist front headed by the U. S. S. R. . . . Neutrality is a camouflage." One American who has long recognized the truth of Mao's words is Maj. Gen. Claire L. Chennault, wartime leader of the Flying Tigers. Recently before a congressional committee he proposed an American program which might at last deal realistically with the growing tragedy of Communist conquest in China. This article explains his program.)

In the spring of 1948 at Washington, I testified before the House Foreign Affairs Committee on the situation in the Far East. In the unbroken series of disasters which have unrolled since then, practically everything I predicted has come to pass. It is not my

purpose now to be justified as prophet of disaster, but recognizing the errors of the past may help shape the decisions we make now for future constructive action.

The best part of China has been lost already by an American policy of passivity. If we do not act soon the Chinese Communist government will be on the borders of Indochina, Thailand and Burma. In Indochina the Moscow-trained leader, Ho Chi Minh, has already established his Communist regime. The French have been powerless to suppress him. With support from across the Chinese border, it is mathematically certain that Ho Chi Minh will extend his rule to include most or all of Indochina. Thus Thailand will be surrounded on two sides, and will fall. Malaya may be expected to follow. The fate of disordered Burma, where there is also a powerful Communist movement, will certainly be sealed. And the rich islands of Indonesia will also find their way into these new provinces of the Soviet Union's new Asiatic empire.

It is optimistic nonsense to suppose that with all of Asia in Communist hands Japan and the Philippines will remain peacefully on our side. Japan is virtually entirely dependent on trade with Asia for her continued existence. It was this very dependence that drove the Japanese militarists into their attempt to found the so-called greater east Asia coprosperity sphere. With Asia in the grip of communism, there can be only two futures for Japan. Either the United States will transform Japan into a colony, at once spending vast sums to feed her people and stopping at nothing to repress their impulses toward independence, or Japan will ultimately join the parade and come under Communist rule like the rest of Asia. I cannot imagine my country in the role of ruthless imperialist. And so I foresee a Communist Japan at the end of the easy road we are now so comfortably following.

I do not say that all these disasters are to happen at once. It will take many months for the Chinese Communists to establish mastery of all of China, even if this country extends no helping hand to the anti-Communist forces. It will take perhaps several years before the whole process can work itself out. But we are fools to think that with the Pacific imperiled, the United States will be safe. What is at stake here is simply the security of this country. When national security is at stake, economic factors should not weigh too heavily. But the strategic raw materials of this vast region will be denied to us. And our far eastern markets will either be closed to us, or perhaps we may be allowed a carefully controlled trade, limited to supplying an implacable enemy with the means of modern warfare, with arms to be thrown back at us and our children—as the scrap we so obligingly furnished to Japan was thrown back at us at Pearl Harbor.

In the face of these facts it is my fundamental premise that the United States cannot afford to allow communism to sweep Asia. Regardless of the cost, we must take effective positive action now to see that its present advance is halted. The alternative cannot be faced. A fully Sovietized Asia and western Pacific would represent a disturbance of the present precarious balance of strength between the western and eastern worlds so decisive that the effect would be to precipitate almost immediately a world conflict which might well destroy civilization. In the face of such a situation we would have no choice of action and policy except the instinctive reactions of survival. Today we still have a limited choice, we still have time to decide on and execute a policy of positive action which may yet avert the ultimate catastrophe.

#### THE FALLACY OF CHINESE ABSORPTION

The theory that the Chinese Communists may some day break with Moscow is at least

interesting enough to be worth discussing. I cannot say the same for the even more prevalent theory that the Chinese Communists "never can organize China," will be absorbed by the Chinese, and so on. Since the time of Christ, China has been ruthlessly organized, just to name the high spots, by the first and second Han dynasties, the Tang dynasty, the Sung dynasty, the Yuan dynasty, the Ming dynasty, and the Manchu dynasty. Every one of these great ruling systems eventually decayed under the corrupting influence of absolute power. That is what is meant by Chinese absorption. The average period before full decay set in was about 200 years each. In 200 years we won't be here to benefit by what happens to the Chinese Communist, who have more resources for organizing the Chinese—in arms, in transport, communication, and experience with modern police-state techniques—than any of their imperial predecessors. The morass theory will not work when applied to a conqueror with modern techniques of coercion. Theoretically Russia was to be the morass that would destroy Hitler, but enormous outside efforts had to be made by Russia's allies before the morass could be made to stop Hitler.

The question is whether there is anything we can still do. My answer to this is emphatically, "Yes." There is a great deal that we can do and much that we can work with. Some defeatists didn't believe that the Flying Tigers had a chance against the Japanese in 1941.

#### COMMUNISM IS FOREIGN DOMINATION

The Chinese do not like communism. It is opposed to their deepest traditions and threatens the value that they have been brought up to revere most. They recognize and hate it as a form of foreign domination. Given a chance they will fight it and fight it valiantly.

Opposition to the Communists has been coming increasingly and is now predominantly from provincial and other local leaders. These local regimes vary in their effectiveness, strength, and the enlightenment of their government. Where they are effective, however, there is genuine popular support for resistance to Communist conquest.

The key to future effective resistance is west and south China. A vast belt of land, about a third of the Chinese nation, and 150,000,000 people still remain outside the iron curtain. That tremendous area encompasses nine provinces. This area is substantially what was Free China during the war against the Japanese. It is a base adequate to liberate all China in the end. These people are willing, indeed anxious, to fight if provided with the minimum of aid.

For supplies there are still available vast stock piles of arms and material lying in the Philippines and Pacific bases. With these a new Chinese resistance may yet be armed. We cannot justify our failure to defend our most vital defensive positions on the grounds that there is nothing with which we can fight. The thing lacking in China is a reasonable hope of defensive victory to give the will to resist. This we can create.

In any future program of aid to China our problem will simply be to see to it that there is adequate supervision by our own men to make sure that we get what we are paying for. The Chinese will not resent this or refuse to cooperate. I must emphasize that these areas of resistance must be such both in the military sense and in the sense that they offer ideological resistance and competition to communism. They must be sufficiently progressive and enlightened both politically and economically that the people of China and of all Asia can have living proof that democracy can meet their material, political and spiritual aspirations better than can communism. We must insist that



the necessary policies and reforms are carried out to make certain that this will be true.

I know what I do not know. I do not venture to figure the cost of this necessary defensive reconstruction and ideological work in that part of China we can still save from the military conquest. I do venture to think I know what it would cost to hold the yet unconquered part of China against military conquest by the Communists until events are clearer as to the general course of our world struggle with communism and a more permanent Far Eastern policy.

I appreciate my limitations: I am only a soldier. But I do say to those who thus criticize me that they do not understand their own limitations. When you are trying to defend liberty against conquerors, particularly in Asia, there is no avoiding the necessity of using affirmative force. No conqueror from Genghis Khan to Napoleon to Hitler ever just burned out or stuck in a morass or was stopped by ideas alone. In addition to the imponderable operation of the forces of what we call truth, somebody just had to break him. And all kinds of abilities are needed to stop this most cunning conqueror of all time.

We can only protect our Nation's security in this crisis by taking positive and decisive action. There is no time to be lost in developing and implementing a program for action. We have today in China a highly fluid situation in which there is still room to maneuver, in which we can act to our advantage. That will not be true for very long. We cannot afford to wait for the dust to settle. If we wait for that, the dust of a supreme disaster will have settled on us.

#### THE NORTHWEST

China's far northwest is vast and remote, but three of its provinces (Ningsia, Kansu, Tsinghai) block the historic trade route between central China and the Soviet Union. The top military leader of the northwest is a bearded Chinese Moslem, General Ma Pufang, the efficient governor of Tsinghai and Nationalist commander for the entire area. He controls a tough army of about 200,000 men and has kept the Communists out of the northwest. In 25 years Ma's personal forces have never lost a fight with the Reds. Last year they claimed that they wiped out 30,000 in one battle. But Tsinghai has no arsenal, and Ma badly needs military supplies. Ma's men now use at least five types of rifles—Japanese, American, Chinese and Chinese copies of Czech and German models. His ammunition problem is critically complicated and must be improved if he is to continue holding the northwest bastion against the growing strength of the Red army.

#### THE CENTRAL WEST

In the west central highlands of China is a single province that is bigger than all of Germany. It is Szechwan. Its population of 46,000,000 exceeds France's. It is free and with help can continue to be free. Szechwan is a great basin, well protected by rugged mountain barriers which have balked invaders since ancient times. The Japanese Army never could enter the province. Szechwan's guiding political force is Chang Chun, former premier of China. The province has tremendous resources in manpower, food, and minerals, including gold, coal, iron, and lead. If furnished relatively small amounts of arms and economic aid (such as machinery), Chang Chun's Szechwan could hold the west central line in China almost indefinitely. Its heroic city, Chungking, which was China's wartime capital, symbolizes resistance. And adjoining Szechwan on the southwest, at the wartime terminus of the Burma Road, lies still another impregnable province, Yunnan.

#### THE SOUTHWEST

Under the leadership of a sturdy Chinese Mohammedan general named Pao Chung-hsi and his long-time partner, China's Acting President Li Tsungjen, the southwest province of Kwangsi alone could still easily supply 500,000 troops to fight the Communist army. But these troops would require new weapons, and Kwangsi—not so rich a province as Szechwan—would need economic aid to support its defense program. Kwangsi's population exceeds 14,000,000—more than the three United States Pacific Coast States together. Its freedom-loving, warrior people fought heroically for 8 years against Japan. In Kwangsi there remains a deep well of friendship for China's American allies of that war. If Kwangsi falls, it will be through the failure of the United States to send aid while aid still counts. This aid would not save Kwangsi alone. Around it are Kweichow, Hunan, and Kwangtung—all parts of the broad belt of free China which need not be lost.

Mr. KNOWLAND. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an article entitled "We Must Risk a New Policy in China," written by Harold J. Noble and published in the Saturday Evening Post of July 9, 1949.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### WE MUST RISK A NEW POLICY IN CHINA (By Harold J. Noble)

Faced with the catastrophe in Asia, considered United States policy is to do nothing. The Chinese Taoist maxim, "By doing nothing, all things are done," has merit for the philosopher, but it is a very dangerous principle for the guidance of statesmen. Anybody who has been conscious since Munich must have learned that.

This article will offer the rough outline of a policy designed to replace our planless drifting in Asia. Any policy involves risk, but indecision, I am convinced, is a far more dangerous gamble than positive action at this time. Inaction risks the easy Communist absorption of Asia. Action risks an expensive program to stop this. Either policy risks war. I believe that intelligent positive action makes war less likely, and should war come, makes victory more likely.

Certainly any program is dangerous, but a program for the alliance and common action of all the free states of the world is the safest possible gamble for the United States of America in the very unsafe world of today. How can we arrive at such a program?

First, the United States must call for the consultation and alliance of the free nations of the Pacific and Asia—a program boldly designed to check the Communist advance. It simply makes no sense to follow one policy in Europe and its reverse in Asia. We are boldly—and expensively—attempting to contain the Communist tide in Europe, but we are allowing it to roll on unchecked all the way from Siberia, through the countries of Eastern Asia and clear to the shores of the Red Sea.

Recrimination over our past blunders is useless now. We should realize, however, that a primary factor in the collapse of Nationalist China was the American policy aimed at forcing Communists into the Nationalist Government at a time of Communist weakness. Most American officials now admit that policy was wrong, but many of the same men who during the last 5 years so strongly advocated a Communist coalition in China are today the very advisers who tell us it was always too late—that it is far too late now, and nothing can be done.

Current United States policy rejects any responsibility for nationalist failure. We place the whole blame on Chinese corruption, incompetence, and bad leadership, dismissing the informed testimony of Gen. Albert C. Wedemeyer and Gen. Claire Chennault. Our Department of State wistfully looks forward to the time when the Chinese Communists either will "pull a Tito" in conflict with Russian imperialism or will collapse in attempting to govern the amorphous mass of China with its traditions of local authoritarianism. Such thinking is strongly influenced by those apologists for the Chinese Communists who insist that the Russians gave them no assistance of any kind. For this reason, they say, the Chinese Communists are no menace to us. The elaborate and extensive assistance and the close ties between the Russian and Chinese Communist Parties and Governments are so well established that I feel I need not waste space disproving such claims. The first to deny them are the Chinese Communists themselves, who ought to know if anybody does.

Official American thinking is that while we wait for the dust to settle, for inevitable Sino-Russian conflict and for the Communist collapse from lack of administrative competence in the midst of the corruptive fleshpots of China's great cities, we should do nothing to antagonize the Communists. Then they'll turn to us for technical advice and capital, which will further seduce them and strengthen them for that ultimate conflict with the Russians.

This type of reasoning seems irresponsible. Any policy which assumes that Chinese communism is benign, while Polish or some other European communism is a menace, is unrealistic. What makes American or Russian or French or Czech Communists our enemies, while Japanese or Korean or Chinese Communists are our friends? By their own claims and the evidence of their own conduct, the Chinese Communists, like all other national Communists, are struggling to establish the "dictatorship of the proletariat"—that is, to establish a Communist dictatorship on the Russian model. Such a form of society is not more admirable nor less dangerous to the free nations because it is Chinese instead of Russian. Regardless of whether the Russians dominate the Chinese Communists, or whether the U. S. S. R. and the Chinese S. S. R. are allies, or whether the Chinese soviet state attempts on its own to establish a Communist Federation of Asia, Chinese communism is a menace to a free Asia.

Perhaps in fifty or a hundred years, nationalist separatism would become so strong on its own momentum that the great Communist conspiracy would fail. But the makers of American policy must consider next year and 5 years from now. It is dangerous to gamble our national security on the hope that, from its internal weakness alone, the Euro-Asiatic Communist menace will shortly evaporate.

If the Communists do succeed in organizing China, and then spread their controls to other parts of Asia, either directly or through alliances, our danger would be far more critical than when we faced a Japanese Empire having the same geographical ambitions. Even now we are so frightened of possible war with Russia that annually we spend billions of our savings on arms which we would much rather spend on peaceful living. If the Chinese Communists take over the great Chinese Nation this year and we do nothing to block them, then, after 5 or 10 years, we find ourselves at war with Russia, what role would Asia play? On our side? Could any reasonable man expect the Chinese Communists to stand aloof? Could he expect them not to take advantage of that war to attempt to overthrow the free governments of the Philippines, India, or Pakistan? Or that in

alliance with Russia they would not bend every sinew to destroy us, too?

Their success, of course, would depend on whether they could establish a rigid dictatorship and reorganize the Chinese economy under that dictatorship. Those who say they can't are unwise. How many men foresaw in November 1917 how well Lenin and his small band of Bolsheviks would succeed in clamping a successful and lasting militant dictatorship over the vast lands and enormous millions of Russia? How many years passed before experts quit assuring us that the Bolshevik collapse was just around the corner? Maybe the Chinese Communists can't do it—maybe. But statesmen who today are willing to gamble our national life itself on that "maybe" seem hardly worth our complete confidence.

We can be sure that nothing the United States can do, no matter how sweet, could make the Communists like and trust us. We can give them all the credits and machines and technical advice we possess, and they will still distrust and hate us as a nation. They are fanatical Communists, including non-Moscow-visiting Mao Tse-tung, who believe as a profound article of faith that, being the world's greatest capitalist nation, the United States is a vicious imperialist state which must and will be destroyed. Mao Tse-tung makes no bones about this. He will accept our assistance in the same spirit that Lenin accepted American capitalist assistance, and that more recently Stalin accepted Lend-Lease. That will not be in the spirit of brotherhood, if history is any guide.

What does the United States want in Asia? We want a peaceful community of free, friendly, nonexpanding nationalist states. We prefer democratic states, but our test should be whether the government concerned is determined to maintain its own independence, whether it is friendly toward us and whether it is willing to cooperate with other Asiatic states with similar views on foreign affairs. Fortunately, these aspirations are not peculiar to us, for they are common to all the free peoples of Asia. We want no special privilege in Asia, and therefore can proffer friendship and alliance to Asiatic governments with clean hands. The most that we ask is the maximum opportunity for trade on a purely competitive basis. If this is selfish, it is the selfishness of all. It is no accident that the great trading nations also have the highest living standards in the world.

As the most powerful of the free Pacific powers, the United States has problems of great responsibility which go with power. Our commitments in Europe and at home, however, are so great that there is danger of overstraining our economy. Since economic collapse would be almost as dangerous to us as foreign invasion, while inevitably it would take our allies down with us, we must exercise our responsibilities to the extent that we economically can.

Our first requisite is allies—states which, recognizing the common menace of Communist expansion, will agree to common action to contain it. Our potential allies in Asia are many, although their present strength is not comparable to that of our allies in Europe. Through common action, however, they would become stronger. There is no free government in Asia today which has not been convinced of the universal menace of the Communist conspiracy.

We and our allies must not be deterred from positive action by the oft-asserted dogma that communism can't be met with force, since it is an idea. This is one of those misleading half truths. Only if we and our allies believe in ourselves and our separate institutions will we make the sacrifice with which alone we shall win. But while communism does win converts as an idea, it has never captured a territory or a government by propaganda.

On the thesis that during the recent war we concentrated on Europe and ignored Asia till Hitler had been smashed, some urge that for the present we should act only in Europe. Being inaccurate, this parallel is dangerous. We did concentrate our greatest efforts in Europe, but we put almost the whole of our Navy and its air power, all the Marine Corps, and no insignificant portion of our Army into the Pacific, where we were materially aided by our Chinese, Australian, and New Zealand allies. When the war in Europe ended, those forces had been sufficient to bring the Japanese to the brink of surrender. Furthermore, our enemy in Europe could bring no force to bear in Asia—while today our enemy can throw his weight to east or west at will. Yet in Asia we have adopted no over-all policy to halt the Soviet advance or even offered a partial challenge.

Over-all policy for the Pacific must have well-recognized spiritual elements as well as concrete machinery to express them. Spiritually, the United States supports the sovereignty and independence of every state in Asia. Every genuine movement for national independence has the sympathy of the American people. No objective Asiatic must be left in any doubt that the United States still follows its century-old policy of support to Asiatic freedoms. Nehru's declaration for India, "Our foreign policy is that no foreign power shall rule over any Asiatic country," is an Asiatic Monroe Doctrine which should have wide sympathy in this country. We may recall that for many years British naval power made possible the enforcement of our doctrine for the Americas. We should expect to be of the same assistance to the Nehru declaration that the British were to Monroe's.

The problem of support to colonial peoples who have not yet achieved their independence is difficult. The nationalist movement in Indochina, for instance, is genuine. Yet, as in China, it is perverted by Communist leadership for interests which are not local. Similarly, despite the Japanese origins of the Republic of Indonesia, and of Communist efforts to exploit this region, the nationalist ambitions of the people of Java are genuine. In both areas United States policy must be on a month-to-month basis. In neither area can the United States back the restoration of the prewar colonial empire, or yet support a movement to bring Communists into power in southern Asia.

Since few Asiatic states have the domestic cohesion of the western European countries, it would be difficult to establish a Pacific pact on the same terms as the Atlantic pact. An automatic pledge to defend India is in a different category from one to defend France, for reasons of difficulty, not principle. In the Pacific, however, nations can be divided into two groups. The first consists of the periphery island nations, with which military alliances could be made. The second group, the continental states, should be bound together in a pact for consultation on common methods to check the spread of communism in Asia. Through discussion and agreement, ultimately these would include economic programs quite as much as military.

The island states include the Philippines, Australia, New Zealand, and Japan. The continental states would be free China, Korea, Siam, India, Pakistan, and Burma. Because of proximity to India, probably Ceylon should be grouped with the continental rather than the island states. For the present the roles of Indochina and Indonesia would have to remain open, though inability to include them would be a serious weakness.

Probably even without alliance the American people would accept a declaration that aggression against the Philippines, Australia, New Zealand or Japan would be considered aggression against the United States. While

many Americans, as well as Filipinos and Australians, would object to this formal bracketing of the late enemy with our late allies, actually the Japanese have been so bracketed for some time. As long as American soldiers garrison Japan, aggression against that country would involve the United States. We keep troops in Japan only because of potential Russian aggression. Otherwise, we already would have made a peace treaty and brought our soldiers home.

The American Government, therefore, should begin discussions with the governments of these four island states for the creation of a Pacific Periphery Alliance for joint defense. This alliance should recognize a fifth-column-directed revolution as a form of aggression. While such a pact would not create much that is new in fact, it would formalize unspoken understandings, make joint planning possible, and give more strength to the proposed second agreement, the Asiatic-Pacific Pact.

American policy on Japan should be overhauled. Regardless of Russia, peace should be made with Japan this year, 4 years after Japan's unconditional surrender. The Japanese Government should assume the responsibilities appropriate to a sovereign nation, with suitable limitations against the growth of authoritarian government incorporated in the peace treaty. In recognition of the menace from across the Japan Sea, however, the peace treaty should provide for an American garrison in Japan to assist the Japanese in protecting themselves against aggression.

Under the peace treaty, the Japanese should assume the responsibilities of government, while the United States should assume the costs of the garrison force. Morally the Japanese should pay all these expenses, but practically that is impossible. The occupation costs are the largest single budgetary charge against the Japanese treasury. Without them, the Japanese Government could assume many other obligations now supported by American subsidy. Once Japan is reestablished as a sovereign nation, the Japanese can trade throughout the non-Communist areas of the Pacific, and through that trade not only earn more of their own expenses but contribute to the rebuilding of Asia. The widest possible exchange of goods is an essential for a free and healthy Asia. As for the overburdened American Treasury, in any case the United States would have to support the troops now in Japan someplace else.

The United States cannot look with pleasure on the indefinite occupation of Japan. Sometime the Japanese will have to begin to provide their own security, although as long as the Communist military menace is so near, they will need American military support. As a first step, the Japanese should organize a compact military force armed with rifles, machine guns, and light artillery. We won't like that, but we must choose between sharing responsibility for Japanese defense with the Japanese themselves or doing the whole job ourselves indefinitely. The slightly more than 100,000 pistol-packing Japanese police surely are inadequate for this task, even if they found enough pistols to go around. Organization of a Japanese military force would be attacked as fascistic and there would be alarms about a new Japanese attempt to conquer Asia. We'll have to be prepared for the uproar and accept the risks. No defeated nation can expect to be perpetually unarmed, excepting in a world of peace and order. Few of us see peace and order in the world around us.

This program for Japan should be reached through discussions with our Pacific allies. The solution must be a compromise and not dictated by the United States. Our allies, however, must expect to compromise some of their natural bitterness toward the Japanese in order to create a system of alliances in the Pacific directed against aggression of



any kind. It is not the Japanese Empire which menaces this generation. If it were more palatable, the Pacific Periphery Alliance could be limited to the United States, the Philippines, Australia, and New Zealand, with each state bound to the defense of Japan through a clause in the peace treaty.

The question of military aid to Nationalist China should be reexamined by military experts, even now. A competent military planning board should be asked whether there is any military aid which we can give to any part of non-Communist China which would be likely to check the growth of Communist power. If, after study, the board should say "Yes," then the United States Government should render that aid.

Pending this investigation by competent military experts, I suggest the following as a minimum program: Communist China should be cut off from American capital, trade, and technical advice to the same degree and under the same limitations that Russia is cut off. It is possible that the Chinese communists will fail in their attempts to organize and run a modern industrialized China. But they are unlikely to fail if we give them the assistance of our capital, our machinery, our technical skills, and the profits from our trade. We once made the mistake of assisting Japanese arms by supplying scrap metal and other essentials. We shouldn't be so foolish twice. The argument that the Communists won't like us if we do this seems irrelevant.

The problem of relief is difficult, but solvable. We must not be frightened into working against our own interests by charges that we are playing politics with human misery. There is tremendous misery in Russia, about which we do nothing. Nonetheless, if we so wished, we could send relief to Communist China on a supervised basis. We should require by law, however, that no American relief goods could go to China unless the Chinese authorities consented to have them clearly marked, in Chinese, as to origin, and allowed them to be distributed under direct American supervision. We should make certain that no Americans participating in this program are Communists or fellow travelers, who would pass out American food with one hand and anti-American propaganda with the other. The people who get the relief must know that it comes from the same Americans whom the Communists, in their attempts to condition the Chinese people for future war, are branding as a vicious enemy.

We should not recognize the Communist government of China unless it has established and maintained its authority throughout all of China for several years. Such relations as we shall need to have with that government we can maintain through informal channels. As long as an anti-Communist government exists in south China, we should give it recognition and moral support. Especially we should permit the free Chinese government to maintain itself in Formosa, where it would be relatively free from molestation because of our control of the seas. A government in exile which still holds a portion of the national territory will have a far greater pull on the loyalties of a people than such a government established in the remote territory of an ally. Since our grand plan against Communist aggrandizement contemplates not only the containment of Russia but the eventual establishment of a peaceful democratic order, we should look forward to the eventual collapse of communism in China and the reestablishment of a free Chinese government. We should not recoil, then, from assistance to maintain the nucleus of a free government.

The United States should strengthen its ties with the Republic of the Philippines. The Philippines not only are free and proud, they are lonely. China is rapidly going Com-

munist, while Indochina and Indonesia are in chaos. Australia, India, and Pakistan work closely together as part of the commonwealth. Filipinos feel that their logical partner is the United States, not China or the commonwealth states. They also believe, however, that American interest in Asia is not greater than theirs. As Asiatics, they feel that often they are capable of giving good advice to the United States. Our Government would do well to consult the Philippine Government on all Asiatic issues—just as Great Britain consults India and Pakistan. The effect would be excellent not only on our relations with the Philippines but with all Asiatic states.

India, Pakistan, Ceylon, Burma, and Australia already are the nucleus of an Asiatic bloc, with the Philippines and Siam on the periphery. It should not be difficult to create the second half of the pacts for the Pacific and Asia which I suggested earlier. The first half—the Pacific Periphery Alliance—should be a strong, precise, military alliance. The second half—the Asiatic-Pacific Pact—should be a multilateral agreement providing for regular consultation of all the Pacific powers which are determined to stop the spread of Communist aggression in Asia. Signatories would include the members of the Pacific Periphery Alliance, and, in addition, India, Pakistan, Siam, Korea, Burma, Ceylon, and free China, France, Holland, and the United Kingdom should be invited to adhere.

The pact should state that: (1) The maintenance of the sovereign independence of each signatory is the common interest; (2) aggression or threat of aggression, either through invasion or fifth column, will be resisted by all; (3) any member may call the attention of signatories to a threat to the peace at any time; (4) upon such notice, all signatory governments will send representatives to a common meeting place for discussion both of separate and of common action; (5) and machinery will be created for regular conferences between the signatories on problems of security and peace in the Pacific and Asia.

The pact would not provide for automatic recourse to war against Russian or other aggression. Nevertheless, recognizing common interests and providing for regular conferences on common problems—in which the United States would participate—it could contribute materially to drawing member states together, finding common economic and political solutions, and giving the members jointly a strength which they sadly lack today.

Reported declarations by both President Pandit Nehru of India and our own Secretary of State to the effect that a Pacific pact could not take shape until the present internal conflicts in Asia are resolved seem unrealistic and unworthy of the judgment of either gentleman. It is to be hoped they will reexamine this subject in the coming months. A fundamental element in the internal conflicts in Asia is the Communist offensive. If we do nothing until that is resolved we should expect to awaken some dismal day to find the flag of the hammer and sickle flying from every national capitol in Asia.

Some may say the United States can't afford to be involved even in discussions because they would lead to moral and financial obligations. The real question, however, is whether Communist aggression in Asia would bring American intervention even without previous pledges. Yes; in some parts—in Japan, the Philippines, and Australia, certainly. Then, in advance, we should strengthen ourselves in those areas by the suggested Periphery Alliance, which alone might be sufficient to deter the aggressor. An attack on India or Pakistan also ultimately would pull in the United States, since it would involve the other members of the Commonwealth, including Great Brit-

ain. Once the United Kingdom, Canada, and Australia were at war with Russia in Asia, they could hardly escape battle in Europe. We'd be in it then, atom bombs and all. So we wouldn't be risking very much to give India and Pakistan the kind of support recommended for the Asiatic-Pacific Pact.

The proposed agreements would be expensive. Could we afford them and pay our way in Europe, too? I think we could. Our expenses in Japan probably would be reduced as Japan got back into foreign trade. Our potential expenditure in China is being reduced by our continued inaction and Chinese Communist success. The sums we previously were prepared to spend to help Chinese Nationalists should be sufficient to cover our contribution to the Asiatic-Pacific Pact. We already are committed to expenditures in the Philippines and Korea, which would not likely be increased by either agreement.

The question is not so much whether we can afford this outlay—small as it would be compared to that in Europe—but whether, politically and militarily, we can afford to withhold it. We must actively cooperate with other free nations to contain communism in Asia while we are blocking it in Europe. How could we afford to keep the European peninsula partially free if the rest of the Euro-Asiatic land mass went under Soviet Communist control? Where would that leave us?

Alone in our tight little continent? Not very likely.

Mr. KNOWLAND. Mr. President, I commend this article to the reading of the Members of the Senate, because I believe that it very clearly sets forth some of the problems with which this country is now confronted, and at least offers, as a basis of discussion, a constructive policy in the Far East.

#### RECESS

Mr. LUCAS. Mr. President, apparently there are no other addresses to be made upon the Atlantic Pact or on extraneous matters. I therefore move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 25 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, July 12, 1949, at 12 o'clock meridian.

#### NOMINATIONS

Executive nominations received by the Senate July 11 (legislative day of June 2), 1949:

##### IN THE NAVY

The following-named midshipmen (aviation) to be ensigns in the Navy from the 3d day of June 1949:

John E. Abbott	Joseph A. Gawrys
Winston A. Ableson	Bruce A. Gilbert
Keith R. Bare	William M. Golding
Joseph Brecka, Jr.	Robert W. Greene
Lawrence M. Brennan	Robert E. Haines
Keith A. Brice	John Hall
William D. Bridge	Richard M. Hill
Tommy L. Burgess	Charles R. Hodgson
George E. Burgi	William A. Hooper
Richard B. Campbell	James E. Hyde
Robert C. Cary	Gilbert Jacobsen
Richard J. Cejka	George E.
Vincent A. Dauro	Jacobssen, Jr.
Richard DeCharms IV	Donald A. Jeffers
William M. Derrick	John W. Jones
Albert E. Doles	Francis S. Jutras
Robert J. Duffy	Paul T. Karschnia
Nelson W. Eaton	Edward J. Klapka
Kenneth E. Enney	Robert E. Kolp
Robert A. Erickson	Victor G. Kreck
Harry N. Farnsworth	Edward V. Laney, Jr.
Arthur S. Fusco	Joseph L. Lepage

Robert L. Leydon  
James P. McCarthy, Jr.  
Thomas M. McDonough  
David K. McKinley  
Paul E. Martin  
Robert W. Maughmer  
Roger J. Miller  
Richard P. Munger  
Louis C. Page, Jr.  
Robert L. Parkman  
William E. Patton  
James R. Pavelle  
Thomas H. Peters  
Oscar J. Proesel  
Herbert A. Riebeling  
Joseph M. Robinson

Lawrence I. Seim.  
Harvey K. Sims  
James J. Sparks  
Francis W. Stack  
Charles E. Stalzer  
Roy L. Stone, Jr.  
Cleo E. Swartz  
Ralph J. Touch  
Peter A. Tufo  
Joseph J. Voda  
Delbert N. Wade  
William B. Wallace  
Robert T. Westman  
Norvell E. Wicker III  
George H. Willey  
John J. Wilson, Jr.

Midshipman Robert E. Dobelstein (aviation) to be an ensign in the Navy from the 3d day of June 1949, in lieu of ensign in the Navy as previously nominated and confirmed, to correct spelling of name.

The following-named (civilian college graduates) to be ensigns in the Navy from the 3d day of June 1949:

Talmadge S. Baggett	Charles E. Langton,
Robert F. Bahlman	Jr.
Lawrence E. Beecher	William H. Mayo
Robert J. Bixler	Byron H. Miller
David H. Blalock, Jr.	John B. Nelms
Robert A. Buck	Paul H. Nikoloff
James V. Burton	Johnny W. Orrill
Donald M. Chernio	Charles H. Peters
Robert S. Collins	William G. Pfaff
Cecil G. Derryberry	Homer K. Richards,
William E. Dewey	Jr.
Leslie R. Downs	Franklin O. Ritter
DeVon "E" Edrington	David M. Rowlands
Raymond R. Fletcher,	Harold L. Seligmiller
Jr.	Paul V. Steffan
Richard E. Galloway	Daniel B. Stiegman
Edward S. Gary	Charles C. Stockton,
Jesse F. Griffith	Jr.
Robert A. Guyer	Robert G. Sullivan
Harold E. Hamilton	Richard C. Tecken-
William F. Hubbard,	brock
Jr.	Richard C. Watts
Downing L. Jewell	Joseph K. Yochum
Richard W. Kincade	

The following-named (civilian college graduates) to be ensigns in the Supply Corps of the Navy from the 3d day of June 1949:

David A. Bowdoin	Everett M. Patton
Robert P. Kopotic	Joseph H. Pollock

The following-named (civilian college graduates) to be ensigns in the Civil Engineer Corps of the Navy from the 3d day of June 1949:

Howard I. Bacon  
Wallace F. Forbes  
Thomas W. Rappsilber

Robert DeW. Phillips (civilian college graduate) to be a lieutenant in the Dental Corps of the Navy.

The following-named to be ensigns in the Nurse Corps of the Navy:

Mary J. Bees	Lurain C. Lenz
June L. Bell	Nancy A. McGonagle
Bernadette M. Bernath	Margaret T. McVicker
Jeanne L. Bolleau	Mary G. Malone
Theresa A. Bradfield	Rose M. Malus
Pauline E. Dinwoodie	Jessie A. Ragsdale
Rosemary Durand	Alice M. Salhoff
Theresa D. Dyer	Rachel M. Schulke
Margaret E. Erkert	Elizabeth J. Scott
Audrey L. Fleeger	Agnes K. Tait
Jane V. Hilaire	Mary M. Wentzel
Janice L. Howe	Viola M. Wilson
Carolyn M. Johnston	Florence M. Zulli
Betty Z. Kline	

The following-named officer to the grade of lieutenant (junior grade) in the line of the Navy, limited duty only, in lieu of ensign in the line of the Navy, limited duty only, as previously nominated and confirmed:

Robert Gilmour, Jr.

The following-named officer to the grade of ensign in the line of the navy, limited duty only, in lieu of lieutenant (junior grade) in the line of the Navy, limited duty only, as previously nominated and confirmed:

Edwin R. Jenks

#### CONFIRMATIONS

Executive nominations confirmed by the Senate July 11 (legislative day of June 2), 1949:

#### DEPARTMENT OF THE NAVY

Rear Adm. Herbert G. Hopwood, United States Navy, Director of Budget and Reports in the Department of the Navy, with the rank of rear admiral, for a term of 3 years.

#### IN THE ARMY

The following-named persons for appointment in the Regular Army of the United States in the grades and corps specified, under the provisions of section 506 of the Officer Personnel Act of 1947 (Public Law 381, 80th Cong.), title II of the act of August 5, 1947 (Public Law 365, 80th Cong.), and Public Law 36, Eightieth Congress:

#### To be majors

Thomas Horwitz, MC, O294359.  
Andres I. Karstens, MC, O542449.  
Richard D. Martin, MC, O395243.  
Frank J. Vita, MC, O272468.

#### To be captains

William F. Andrew, MC, O468002.  
Robert P. Brock, MC, O448335.  
Coursen B. Conklin, Jr., MC, O1725167.  
Jay T. Estep, DC O960675.  
John P. Griffith, Jr., MC, O516772.  
Jack H. Hall, MC, O542290.  
William C. Hollifield, MC, O395688.  
Wilbur L. Kenoyer, MC, O1746501.  
Fred Schneider, DC, O1755132.  
John A. Sheedy, MC, O1744856.  
Alfred G. Siegel, MC, O463703.  
Julius C. Sozanski, MC, O476595.  
Travis J. Towson, Jr., MC, O542463.  
William R. Willis, MC, O399274.

#### To be first lieutenants

William S. Allerton, MC.  
William F. Barry, Jr., MC, O1726110.  
John F. Benson, MC.  
Charles B. Bingham, DC, O959946.  
Richard C. Bodie, MC, O1756332.  
Eugene F. Bolliger, MC.  
Thaddeus W. Cap, MC, O1718848.  
Morton B. Carlton, MC, O1736405.  
Robert A. Chase, MC.  
James W. Clark, DC, O965608.  
Robert N. Class, MC, O1757154.  
Glen E. Cooley, MC.  
Clem C. Crossland, Jr., MC, O1726095.  
Estill N. Deitz, MC, O1747267.  
Joseph W. Dennis, MC.  
Gordon C. Dieterich, MC.  
Toby Freedman, MC.  
Evan R. Goltra, MC.  
Clarence E. Goodman, Jr., JAGC, O465204.  
Russell E. Graf, MC, O1736145.  
Oscar Green, MC.  
Howard E. Hall, MC.  
John P. Heard, MC.  
Charles G. Hermann, MC.  
Eugene A. Hildreth, Jr., MC.  
Samuel R. Hill, Jr., MC.  
Woods A. Howard, MC.  
Herbert J. Jacobs, MC, O1718128.  
Sidney B. Kern, MC.  
William B. Kingsley, MC.  
Kenneth A. Kool, MC.  
George M. Lane, MC.  
Samuel Lee, MC, O936923.  
David H. Lewis, MC.  
Jack B. Lowrey, MC, O1766420.  
Edward A. Lundberg, MC.  
William K. McClelland, MC.

John M. McCoy, MC.  
William F. Mac Gillivray, MC.  
John W. Mason, MC.  
Thomas F. Morrow, MC, O1766339.  
Jack P. Myers, MC.  
Robert P. Natelson, MC.  
Loren E. Nelson, MC.  
Charles T. Pinney, MC.  
Forrest W. Pitts, MC.  
Raymond R. Ross, MC.  
Aloysius I. Rowan, Jr., MC, O1727479.  
Myron E. Rubnitz, MC.  
Howard P. Sawyer, Jr., MC.  
John J. Schwab, MC.  
Robert D. Story, MC.  
Daniel M. Taylor, MC.  
Harold N. Taylor, MC.  
Roy S. Temeles, MC.  
Charles W. Thacker, MC.  
Kenneth E. Trimmer, MC.  
Richard E. Troy, MC.  
Richard C. Turrell, MC.  
Edward P. Vastola, MC.  
Calvin J. Wegner, MC.  
Mortimer L. Williams, MC.  
Donald N. Vivian, MC, O1717482.  
Norman B. Yourish, MC.

#### To be second lieutenants

John C. Rennie, MSC.  
Gloria E. Saffield, ANC, N769906.  
Margaret M. Shea, ANC, N799586.

The following-named persons, subject to completion of internship, or appointment in the Medical Corps, Regular Army of the United States, in the grade of first lieutenant, under the provisions of section 506 of the Officer Personnel Act of 1947 (Public Law 381, Eightieth Congress):

Wilmer C. Betts.  
Richard K. Blaisdell, O964982.  
Richard S. Buker, Jr., O959346.  
Joseph V. Conroy, Jr., O961948.  
Richard H. Cote O965460.  
Arthur N. Dadirrian O962927.  
Crowell T. Daniel, Jr., O958663.  
Theodore P. Froehke, O961445.  
Robert D. Gamble, O956164.  
Clifford P. Goplerud, O948535.  
John N. Gordon, O954876.  
Moses M. Hartman, O961952.  
Ervin A. Kjenaas, O959007.  
George H. Klumpner.  
Leonard D. McLin, O954982.  
John A. Moncrief, O959037.  
Charles R. Montz, O948540.  
Charles H. Moore, O961441.  
Vol K. Phillips, O962918.  
Francis T. Rafferty.  
Roberto C. Rodriguez, O961450.  
Jasper L. Van Avery, Jr., O961695.  
Louis J. West, O960475.

The following-named persons for appointment in the Regular Army of the United States, in the grade of second lieutenant, under the provisions of section 506 of the Officer Personnel Act of 1947 (Public Law 381, Eightieth Congress):

John E. Bell.  
Phillip L. Mallory.  
John L. Payne, Jr.  
James M. Van Hook.  
Fred W. Willmot, O947845.

The following-named officers for appointment, by transfer, in the Judge Advocate General's Corps, Regular Army of the United States:

Maj. Meredith Ernest Allen O21408, United States Army.  
Maj. Clifford Frederick Cordes, Jr., O20186, United States Army.  
Capt. George Shipley Prugh, Jr., O54092, United States Army.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of sections 502 and 509 of the Officer Personnel Act of 1947. Those officers whose names are preceded by the



symbol (X) are subject to examination required by law. All others have been examined and found qualified for promotion.

*To be captains, Medical Service Corps*

Harrold Earp Graham, O37531.  
Stanley Francis Klodniski, O56946.  
Max Eugene Knickerbocker, O41151.  
X Charles William Lindsay, Jr., O37527.  
Robert Francis Maguire, O37528.  
George Marion Peters, O37533.  
Fernando Gordon Torgerson, O37523.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of sections 502 and 508 of the Officer Personnel Act of 1947:

*To be first lieutenants*

Donald Ferree Bletz, O56739.  
John Robin Davis Cleland, O41361.  
Stanley Anthony Durka, O56755.  
Robert Walton Fleming, Jr., O56737.  
Aaron Daniel Maier, O50559.  
George Earl Turnmeyer, Jr., O56735.

*To be first lieutenants, Women's Army Corps*

Norma Jean Fischer, L194.  
Lillian Vida Jones, L191.  
Frances Ann Pesmeski, L193.  
Lucille Doris Schneider, L196.  
Clara May Zunker, L197.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of section 107 of the Army-Navy Nurses Act of 1947:

*To be first lieutenants, Women's Medical Specialist Corps*

Mary Ann Neacy, R10059.  
Vivian L. Stricker, J3.

**UNITED STATES AIR FORCE**

The following-named officers for promotion in the United States Air Force, under the provisions of sections 502 and 508 of the Officer Personnel Act of 1947. (Those officers whose names are preceded by the symbol (\*) are subject to examination required by law. All others have been examined and found qualified for promotion.)

*To be first lieutenants*

Adams, Harry Jones, AO50547.  
\*Arave, William Lloyd, AO50553.  
Bassett, John Kenneth, AO56750.  
\*Boehm, Paul Francis, AO50551.  
Briggs, Richard Carlson, AO56758.  
Bunge, Howard Thomas, AO50558.  
Davis, Homer Sims, AO50544.  
Dillard, George Edward, AO56740.  
Dingeldein, Robert, AO56757.  
Edge, Robert Laneer, AO56754.  
Everette, John Bernard, AO56749.  
Fox, George Arthur, AO56751.  
\*Gaines, Edmund Pendleton, Jr., AO50555.  
Garlington, Arthur Roe, Jr., AO50552.  
Hallenbeck, Alva Merle, AO50560.  
Harris, Roy Lee, Jr., AO50556.  
Hartzell, Richard Atley, AO56743.  
Howell, Philip Vann, Jr., AO56734.  
Hudlow, Richard Jolly, AO56745.  
Krieger, Thomas Bert, AO50546.  
Latshaw, Robert Thomas, Jr., AO56746.  
Leuchtmann, Robert Louis, AO56752.  
Like, Delbert Odell, AO56744.  
\*Murrell, James Edward, AO41360.  
\*Peebles, Thomas Nathaniel, AO50548.  
Ricketts, James Ellsworth, Jr., AO50550.  
Sadler, Robert Edward, AO50557.  
Sanders, Stephen John, AO50543.  
Steorts, Ward Arnold, AO56738.  
Turner, Joseph Harry, AO50545.  
\*Vidmer, Julian Richards, Jr., AO56742.  
Warren, Foster Gage, Jr., AO56756.  
White, Charles Reuben, AO56733.  
Yeager, Randall Gerald, Jr., AO56747.

(NOTE.—These officers will complete the required 3 years' service for promotion during the months of July, August, and September. Dates of rank will be determined by the Secretary of the Air Force.)

**IN THE NAVY**

The following-named officers of the Navy for temporary appointment to the grade of lieutenant, subject to qualification therefor as provided by law:

The following-named officers for temporary appointment in the line of the Navy:

Stanley F. Abele	Duane M. Krueger
James D. Ackerman	Wesley E. Lizotte
Robert E. Arthur	Edmund J. Maddock
Thorval L. Berg, Jr.	Robert W. Mead
Sherman C. Black	Charles V. McGlothing
William F. Bley	Allen C. H. Merz
Clarence A. Borley	Eldon L. Michel
Trond G. Brekke	Robert H. Morris
William I. Bristol	Laverne F. Nabours
Samuel J. Brocato	Victor J. Neil
George E. Buker	Robert A. Niles
Charles W. Callahan	Franklin C. Northrup
Robert D. Chilton	Paul O'Mara, Jr.
Walter C. Clapp	Robert E. Orcutt
Marvin L. Claude	Charles L. Otti
Robert G. Coleman, Jr.	Joseph V. Pavela
Parker C. Cooper	Joseph Rollerl
Merdin C. Criddle	Joe M. Sassman
Raymond J. Dooley	John E. Schlembach
Wayne L. Dowlen	Milner N. Shannon
Thomas H. Drinkwater	Frank S. Siddall
Willis P. Duhon	Carl E. Smith
Edward M. Eakin	Edward J. Steffen
William E. Edwards	Marlar E. Stewart
Homer S. Elliott	Donald A. Swanson
John A. Fahey	Harry W. Swinburne,
Harry W. Files, Jr.	Jr.
Forrest B. Forbes	John B. Thomas, Jr.
David L. Forrester, Jr.	Frederick C. Turner
Gurney E. Frye	Wallace V. Van Pelt
Albert R. Groves	Harold K. Von Egger
Harris E. Gustafson	John R. Wagner, Jr.
George F. Guyer	Harvey M. Waldron,
William C. Hartung	Jr.
Charles W. Henderson	Saxton A. Weir, Jr.
Darrel H. Jay	William J. Westmore-
Robert Juarez	land
Lawrence W. Kelley	Charles E. Wilcox
Joseph F. Kelly, Jr.	Harold A. Williard
Robert R. Kidwell, Jr.	Robert C. Woolverton
Frank G. Kingston	

The following-named officers for temporary appointment in the Supply Corps of the Navy:

John J. Connor, Jr. William S. Langley  
Donald F. Baumgart-John H. Robison  
Lyle A. Stearns  
Herbert J. Hackmeyer

The following-named officers for temporary appointment in the Civil Engineer Corps of the Navy:

Henry S. Grauten  
Roland D. Hill

The following-named officers for temporary appointment in the Medical Service Corps of the Navy:

Harold G. Donovan  
Lester K. Thompson

The following-named officers for temporary appointment in the Nurse Corps of the Navy:

Isabelle C. Klehl	Evelyn M. McDermott
Ruth M. Lawler	Ann E. McPhillips
Edith F. MacMillan	Emerald M. Neece
Margaret McCall	

The following-named officers of the Naval Reserve for temporary appointment to the grade of lieutenant, subject to qualification therefor as provided by law:

The following-named officers for temporary appointment in the line of the Naval Reserve:

Harry Ault, Jr.	John E. McNellis
Arthur L. Flanagan	John H. Whitehouse
Robert E. Leckrone	

The following-named officers for permanent appointment to the grade of lieutenant commander in the line of the Navy, in lieu

of temporary appointment as previously nominated and confirmed:

Kathryn Dougherty  
Winifred R. Quick

The following-named officers for temporary appointment to the grade of lieutenant commander in the line of the Navy, and to correct spelling of names as previously nominated and confirmed:

Otis L. Scheibeler  
Charles W. Hollinshead, Jr.  
Claudie R. Vaught

The following-named officers of the Navy for permanent appointment to the grade and corps hereinafter stated, and to correct spelling of names as previously nominated and confirmed.

**LIEUTENANTS (JUNIOR GRADE), LINE**

Michael N. Besel, Jr.	George R. Pool, Jr.
Dwight E. DeCamp	Robert F. J. Schneider
George Maragos	Charles G. Schoenherr

**LIEUTENANT (JUNIOR GRADE), SUPPLY CORPS**

Frederick L. G. Kuehm

The following-named officers for permanent appointment in the Supply Corps of the Navy in grades hereinafter stated:

**LIEUTENANT (JUNIOR GRADE)**

Bower, Charles J., Jr.  
Mize, Harlie L.

**ENSIGN**

Altieri, Mickelangelo

The following-named officer for permanent appointment in the Civil Engineer Corps of the Navy in the grade hereinafter stated:

**ENSIGN**

Benton, Joseph H.  
Robert J. Anderson (Naval Reserve Officers' Training Corps) to be an ensign in the Navy from the 3d day of June 1949.  
Varne M. Kimmick (Naval Reserve Officers' Training Corps) to be an ensign in the Civil Engineer Corps of the Navy from the 3d day of June 1949.

The following-named (civilian college graduates) to be ensigns in the Navy from the 3d day of June 1949:

Robert N. Johnson  
Edwin B. Nelson

The following-named (civilian college graduates) to be lieutenants (junior grade) in the Medical Corps of the Navy:

John P. Allan	Guido R. Gianfranceschi
Frank F. Allen	
Marvin S. Allen	Edwin S. Gomsil
Paul M. Arnesen	Anthony J. Guida
Frank H. Austin, Jr.	Rudolph H. Hand
Robert R. Austin	Paul Hart
David C. Beer	Jerome L. Heard
Merrill A. Bender	Charles M. Hendricks
Walter J. Berger, Jr.	Jr.
Leonard B. Berman	Larry J. Hines
Ernest A. Blakey	Philip R. James
Ellsworth R. Brownel	Samuel W. Johnson,
ler	Jr.
William H. Brownlee,	James M. Jones, Jr.
Jr.	James S. Ketcham
Louis F. Burkley III	George B. Kimbrough
Charles R. Campbell	Chester LeR. Klein
John McCr. Christensen	Everett R. Lerwick
Robert H. Clarke	Francis J. Linehan,
Thomas B. Delaney	Jr.
John J. Dempsey	Wolfram G. Locher
Harry H. Dinsmore	Lindsey F. Lovett
John J. Downey	Cunningham R. Mac-
Robert F. Dykhuizen	Cordy
Joseph H. Early, Jr.	Ernest G. McKay
Carl L. Ebnoter	John R. McLaren
George F. Elsasser, Jr.	Deane E. McLeod
Thomas S. Ely	Vernon J. Merkle
Warren C. Evans	George D. Mogil
William A. Fisher	Arthur E. Moler
John J. Flahive	Donald R. Mundie
James J. Foster	Robert R. Nardone
Anthony R. Gennaro	Robert F. Neal

Delmer J. Pascoe  
Joseph W. Peabody, Jr.  
Donald J. Perry  
James L. Pollock, Jr.  
Jarvis H. Post  
Harvey O. Randel  
William R. Raulston  
Agile H. Redmon, Jr.  
Don C. Rudeen  
Richard B. Sarver  
Lewis Schachne  
John R. Shanahan  
Thomas W. D. Smith  
William A. Snyder  
Henry A. Sparks

James A. Sylvester  
Edward A. Thompson  
Charles V. Treat  
William C. Trier  
Chester M. Trossman  
Charles M. VanDuyne  
Paul H. Visscher  
Charles C. Wanna-maker  
Raymond H. Watten  
Martin G. Webb, Jr.  
Elmer A. Weden, Jr.  
Maurice B. Wehr  
Charles W. Werner  
Francis W. Westneat  
Stanley E. Willis II

The following-named officers to the grades indicated in the Medical Corps of the Navy:

## CAPTAIN

Raymond J. Mansfield

## LIEUTENANT

Emmett P. Bryant

## LIEUTENANTS (JUNIOR GRADE)

Edward J. Carry  
Philip O. Geib

The following-named officers to the grades indicated in the Dental Corps of the Navy:

## LIEUTENANT COMMANDERS

Byrnes E. Missman  
Stephen A. Grady.

## LIEUTENANTS

Frank L. Davis  
Eymard LeR. Doyle  
Walter G. Hillis

Joseph S. Hurka  
Arthur H. Pearson  
George A. Pfaffmann

The following-named officers to the grade indicated in the Medical Service Corps of the Navy:

## LIEUTENANTS

Kenneth E. Bechtloff  
Stanley W. Handford

The following-named officers to the grade indicated in the Nurse Corps of the Navy:

## LIEUTENANTS (JUNIOR GRADE)

Muriel R. Cavey  
Rose M. Martinsek

The following-named officers to the grade of lieutenant commander in the line of the Navy, limited duty only, in lieu of lieutenant in the line of the Navy, limited duty only, as previously nominated and confirmed:

Garland Casey  
Harold J. Gilpin

Mathis S. Johnson  
Carl H. Wehr

The following-named officers to the grade of lieutenant in the line of the Navy, limited duty only, in lieu of lieutenant (junior grade) in the line of the Navy, limited duty only, as previously nominated and confirmed:

Fred W. Berry  
Leo R. Brown  
John J. Butlak  
Lloyd O. Butts  
William J. Egan  
Frank D. Gallagher

John R. Hatcher  
Francis E. Law  
William J. Miller  
Carl W. Minniear  
Claude E. Riley  
Milton M. Routzahn

The following-named officers to the grade of lieutenant (junior grade) in the line of the Navy, limited duty only, in lieu of ensign in the line of the Navy, limited duty only, as previously nominated and confirmed:

Kenneth Brown  
James V. Carney  
Theodore F. Drag  
John P. Dutton  
Norman Huffnagle  
Willard M. Iverson  
Gordon E. Kaufman

Donald B. McOmie  
Donald M. Murdoch  
Marler W. Owen  
Plynn J. Pullivan  
Herbert E. Reynolds  
Edmund L. Wells  
Hall B. Wessinger

Charles F. Pape to be an ensign in the line of the Navy, limited duty only, in lieu of lieutenant (junior grade) in the line of the Navy, limited duty only, as previously nominated and confirmed.

James A. Gardiner to be a lieutenant commander in the Supply Corps of the Navy,

limited duty only, in lieu of lieutenant in the Supply Corps of the Navy, limited duty only, as previously nominated and confirmed.

The following-named officers to the grade of lieutenant (junior grade) in the Supply Corps of the Navy, limited duty only, in lieu of ensign in the Supply Corps of the Navy, limited duty only, as previously nominated and confirmed:

Byron F. McElhannon  
Richard B. Page  
Albert K. Pavelka

James F. Simpson  
Byron Usklevich

Claude D. Masters to be a lieutenant commander in the Civil Engineer Corps of the Navy, limited duty only, in lieu of lieutenant in the Civil Engineer Corps of the Navy, limited duty only, as previously nominated and confirmed.

Jack J. Jones to be a lieutenant in the Civil Engineer Corps of the Navy, limited duty only, in lieu of lieutenant (junior grade) in the Civil Engineer Corps of the Navy, limited duty only, as previously nominated and confirmed.

Charles M. Gasset to be a lieutenant (junior grade) in the Civil Engineer Corps of the Navy, limited duty only, in lieu of ensign in the Civil Engineer Corps of the Navy, limited duty only, as previously nominated and confirmed.

## WITHDRAWALS

Executive nominations withdrawn from the Senate July 11 (legislative day of June 2), 1949:

## UNITED STATES MARSHAL

## MISSOURI

Fred A. Canfil to be United States marshal for the western district of Missouri.

## POSTMASTER

## CALIFORNIA

John C. Findlay, San Marcos.

## HOUSE OF REPRESENTATIVES

MONDAY, JULY 11, 1949

The House met at 12 o'clock noon.

The Acting Chaplain, Rev. Jacob S. Payton, D. D., offered the following prayer:

God of the ages, to whom by divine decree and custom the makers of laws have ever been admonished to turn before entering upon their duties, look with favor upon this body. During the coming week impart to its Members Thy wisdom which ennobles all service and Thy truth and righteousness which alone insure durability to human efforts. Called upon as they are to serve in a world clamorous with many disturbing voices, may they ask only, "What saith the Lord?" May Thy presence attend the President of the United States and those who share with him the burdensome responsibilities of government. This day may no unworthy motive have dominion over the will of any Member of this body. This we pray in the name of Jesus our Saviour. Amen.

The Journal of the proceedings of Friday, July 8, 1949, was read and approved.

## MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Hawks, one of his secretaries, who also informed

the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On July 5, 1949:

H. R. 4878. An act to authorize certain Government printing, binding, and blank-book work elsewhere than at the Government Printing Office if approved by the Joint Committee on printing; and

H. J. Res. 240. Joint resolution authorizing the erection in the District of Columbia of a statue of Simon Bolivar.

On July 6, 1949:

H. R. 3198. An act to amend the act of June 18, 1929;

H. R. 3549. An act to permit the Comptroller General to pay claims chargeable against lapsed appropriations and to provide for the return of unexpended balances of such appropriations to the surplus fund; and

H. R. 5100. An act to correct inequities in the pay of certain officers and employees of the Federal Government and of the government of the District of Columbia.

On July 9, 1949:

H. R. 2282. An act to make certain Government-owned facilities available for international broadcasting in the furtherance of authorized programs of the Department of State, and for other purposes.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. McDaniel, its enrolling clerk, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H. J. Res. 287. Joint resolution extending section 1302 (a) of the Social Security Act, as amended, until June 30, 1950.

The message also announced that the Senate had passed a joint resolution and concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. J. Res. 114. Joint resolution to provide an increase in the authorization for the Federal National Mortgage Association; and

S. Con. Res. 53. Concurrent resolution relating to the enrollment of Senate bill 70, to make effective in the District Court for the Territory of Alaska rules promulgated by the Supreme Court of the United States governing pleading, practice, and procedure in the district courts of the United States.

## BERLIN AIRLIFT MEDAL

Mr. VINSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2737) to establish the decoration Medal for Humane Action for award to persons serving in or with the armed forces of the United States participating in the current military effort to supply necessities of life to the people of Berlin, Germany, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the amendments, as follows:

Page 1, line 3, strike out "decoration" and insert "medal."

Page 2, line 5, strike out all after "person" down to and including "direct" in line 7.

Amend the title so as to read: "An act to establish the Medal for Humane Action for award to persons serving in or with the armed forces of the United States participating in the current military effort to supply necessities of life to the people of Berlin, Germany."



The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman from Georgia explain the Senate amendments?

Mr. VINSON. These amendments have been approved by the Committee on Armed Services. The House bill provided for the awarding of a decoration. The word "decoration" was stricken out and the word "medal" was substituted by the other body. According to the provisions of the House bill, there might have been the possibility of a person receiving two decorations. That is eliminated by the Senate amendment. This has been agreed to by the full Committee on Armed Services.

Mr. MARTIN of Massachusetts. Is the medal to be given to civilians?

Mr. VINSON. No; it is a medal for those who participated in what is known as the Berlin airlift for the armed services.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

#### FURS AND FUR PRODUCTS

Mr. COX, from the Committee on Rules, reported the following privileged resolution (H. Res. 278, Rept. No. 1007), which was referred to the House Calendar and ordered to be printed:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5187) to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs. That after general debate which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

#### EXTENSION OF REMARKS

Mr. BLAND asked and was given permission to extend his remarks in the RECORD on the occasion of the two hundred and fiftieth anniversary of the Foundation of Williamsburg, Va., and to include therein certain remarks made on that occasion.

THE LATE HONORABLE HUGH A. MEADE

Mr. SASSCER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. SASSCER. Mr. Speaker, it is with profound sorrow that I announce the passing of our late colleague, Representative Hugh Meade, of Maryland, who served in the last Congress. Mr. Meade, in the prime of vigor of middle life, was stricken with a heart attack on Friday and died here in Washington. The Members of Congress with whom he served, and his many friends in Maryland, are saddened by his passing. He graduated from Loyola High School and the University of Maryland Law School. His political career began as secretary to the late Governor Albert C. Ritchie. He later served as a member of the General Assembly of Maryland. He served as assistant attorney general of Maryland and later served in the United States Navy during the recent war. He was elected to the Eightieth Congress; following which service he served as head of the legal staff of the Committee on Merchant Marine and Fisheries.

Mr. BLAND. Mr. Speaker, will the gentleman yield?

Mr. SASSCER. I yield.

Mr. BLAND. Mr. Speaker, I met Hugh Meade immediately after he came on the Committee on Merchant Marine and Fisheries in the Eightieth Congress. I was impressed with his fine attainments, his desire to serve his country and his people to the best of his ability, and his fine zeal to do his duty. In fact, during my service of over 31 years in the Congress of the United States, I have never met anyone who impressed me more than he did. After the election in November 1948 it became obvious that I would be returned to the chairmanship of the Committee on Merchant Marine and Fisheries in the Eighty-first Congress and I was delighted to continue his services with that committee as its chief counsel. I was not mistaken in him. He served until the date of his death, and it was my opportunity to consult him freely. His industry was outstanding, his zeal could not be exceeded. There was no task too small for him to undertake. He showed remarkable intelligence, outstanding ability, and untiring energy. A few hours before he left us, he had consulted with me as to the further work of our committee. I feel as one who has lost his right arm.

His life was short but well spent. His fine service will prove an inspiration to all who knew him. His example will live and I pray that when we go it may be said of each of us, that we have done our work half as well as Hugh Meade did his. God bless his memory. May his rest be sweet.

#### EXTENSION OF REMARKS

Mr. POAGE asked and was given permission to extend his remarks in the RECORD and include certain letters, notwithstanding the fact that it exceed the limit fixed by the Joint Committee on Printing and is estimated by the Public Printer to cost \$262.50.

Mr. RAINS asked and was given permission to extend his remarks in the RECORD in three instances and include a newspaper editorial.

Mr. RIVERS asked and was given permission to extend his remarks in the

RECORD and include a speech by the Secretary of the Army to the graduating class of West Point.

Mr. MULTER asked and was given permission to extend his remarks in the RECORD and include extraneous matter.

LET US DO OUR OWN JOB AND LET THE COURTS DO THEIRS

Mr. MULTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, over the week end the press has been replete with headlines about attacks by some Members of this body upon one of our Federal judges sitting in New York.

Judge Samuel Kaufman needs no defense from anyone. But I refuse to remain silent and appeal to acquiesce in the unwarranted attempt to besmirch his character. Judge Kaufman is a good lawyer and an excellent judge. His honesty and uprightness are unassailable. He is every bit as loyal and patriotic as his attackers.

The charges made against this distinguished judge are the more unfair because the judge cannot fight back. Since the defendant must be retried, it would be unethical and improper for him to make any comment upon that trial, lest it affect the conduct of the new one.

If my colleagues had any regard for the rights of the defendant to a fair trial, they would not have unfairly prejudiced him by their comments. Let us never forget that the strength of this democracy of ours is its division into three branches, the executive, the judicial, and the legislative. We would be the first to severely criticize the judiciary if it tried to tell us how to do our work.

Let us attend to our job and let the courts do theirs.

If nothing else, it will give us more time to legislate intelligently.

The SPEAKER. The time of the gentleman from New York [Mr. MULTER] has expired.

#### UNITED STATES MERCHANT MARINE ACADEMY

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WICKERSHAM. Mr. Speaker, the cut of \$3,435,000 in the maritime training budget as reported out Thursday by the Senate Appropriations Subcommittee will mean the death of the United States Merchant Marine Academy at Kings Point, Long Island, N. Y.

This Academy is not just a wartime training school but was provided for in the Merchant Marine Act of 1936, as amended, in 1938 after disastrous sea accidents, such as the *Morro Castle* and *Mohawk*, showed a dire need for competent merchant marine officers. Now, after 14 years of continuous progress to rectify this situation, this cut, if passed

on the Senate floor, will nullify all efforts of this youngest of the Federal academies.

I strongly urge you to bend every effort to reinstate the full appropriation as passed by the House including expense allowance for each cadet-midshipman at the Academy of a monthly allotment of \$65 which is used to purchase textbooks, uniforms, and miscellaneous expenses as enumerated herewith:

Uniforms.....	\$15.00
Textbooks.....	4.00
Taxes.....	1.25
Various fees.....	6.25
Laundry and cleaning.....	10.00
Haircuts, toilet articles, travel and personal expenses.....	28.50
Total.....	65.00

The effect of the unprecedented cut of the monthly allotment to cadet-midshipmen will have the following adverse results:

(a) Many of the present students will be forced to resign due to limited means. Such action will be forced upon young men who have completed as much as 3 years of the 4-year curriculum. It is estimated that more than 60 percent will resign.

(b) Government will lose investment as well as having gained the ill-will of the young wards and their families through the breach of its good faith.

(c) Young Americans of limited means will be shut out from appointment to the school even though these boys have the characteristics to become loyal, efficient ship's officers.

(d) Create a precedent for abolishment of pay to cadets at West Point, Annapolis, and the Coast Guard Academy as well as the thousands of Naval Reserve Officer Training Corps at universities.

(e) Slow strangulation of the USMMA and its doors will soon have to close.

Once again, I wish to emphasize the importance of maintaining the Federal Merchant Marine Academy. It serves the Nation not only by providing competent merchant marine officers in time of peace but also as a ready source of Naval Reserve officers in time of war.

The SPEAKER. The time of the gentleman from Oklahoma has expired.

#### CRITICISM OF FEDERAL JUDGE KAUFMAN

Mr. COX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COX. Mr. Speaker, the most heartening statement that I have seen emanate from any high place in government in a long time was the statement made by the Attorney General on last Saturday, which was to the effect that Alger Hiss would again be put on trial.

Mr. Speaker, I here want to pay tribute to Mr. Thomas J. Murphy, the attorney who prosecuted the Hiss case. Almost single-handed and alone he beat down what was apparently a conspiracy to cheat the law and to liberate a traitor. His conduct reflected great credit upon the bar while that of the presiding judge

reflected discredit upon the bench. The name of one is this morning spoken of throughout the entire country with praise, while that of the other is spoken with censure.

The SPEAKER. The time of the gentleman from Georgia has expired.

Mr. HAYS of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS of Ohio. Mr. Speaker, it has been brought to my attention and the attention of the country by both the press and radio that at least two Members of Congress have seen fit to impugn the motives of a Federal judge in his handling of a case in the Federal court. I am also aware of the fact that one of these gentlemen has made some unwarranted, vicious, and partisan political accusations against the administration in connection with this case.

All of this leads me to ask the following questions: Has any member of the Un-American Activities Committee the right to interfere with the judicial branch of the Government?

Has any member of that committee the moral right to retry this case in the public press?

Is the Un-American Activities Committee being used as a partisan political vehicle?

Is the feverish desire of some Members of this body to get their names in print, casting reflections on the Congress as a whole, and endangering the traditional balance between the three branches of government?

Are the functions of the Un-American Activities Committee to investigate subversive activities or to make headlines in the press?

The SPEAKER. The time of the gentleman from Ohio has expired.

#### DEATH OF THE GOVERNOR OF TEXAS

Mr. POAGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POAGE. Mr. Speaker, we have just received word that the Governor of Texas died unexpectedly this morning. As chairman of our delegation, it becomes my duty to make this sad announcement to the Members of this House.

Beauford Jester was serving his second term as Governor of Texas. He was a man in the prime of life. He had served his State and Nation in many important capacities. Just this past week the Legislature of Texas had completed its longest session. Like this Congress it had had difficulty in providing for the needs of the State and avoiding a deficit. The Governor had struggled with a heavy responsibility. He was still confronted with a great mass of bills as yet unsigned. Just yesterday he told a friend that he intended to take these bills with him to

Galveston where he hoped to get some opportunity to study them as he went through the clinic of the State Hospital there. He did not live to complete that journey. I am advised that he died in his berth on the train between Austin and Houston, but this was not discovered until the train stopped in Houston this morning. Undoubtedly the strain and the extra work incident to the long session combined with other worries to hasten his passing.

The State of Texas and, I know, the friends of Texas all over this country join in grief at the passing of this active, splendid, outstanding citizen of our State, and it is with great sadness I find it my duty to make this announcement.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. The late Governor of Texas made an outstanding name for himself which has spread throughout the country. We of the East, the Northeast, and I know all other sections of the country respected the late Governor for the fine character of public service he rendered. Speaking for the people of my section generally, and I am sure for all other sections of the country, we join with the people of Texas in expressing sympathy in the death and passing on of their beloved and courageous Governor.

#### PUBLIC IMPROVEMENTS IN ALASKA

Mr. SABATH, from the Committee on Rules, submitted the following privileged resolution (H. R. 279) providing for the consideration of the bill (H. R. 940) to authorize public improvements in Alaska, and for other purposes (Rept. No. 1008), which was referred to the House Calendar and ordered printed:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 940) to authorize public improvements in Alaska, and for other purposes. That after general debate which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Lands, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

#### EXTENSION OF REMARKS

Mr. BUCHANAN asked and was given permission to extend his remarks in the Appendix of the RECORD and include communications from various groups in the District of Columbia interested in home rule, addressed to the chairman of the committee, and certain newspaper articles.

Mr. ARENDS asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial entitled "Wheels Within Wheels" which appeared in the Washington Herald of last Saturday which is



a reprint from an editorial from last Friday's Chicago Tribune.

Mr. JACKSON of California asked and was given permission to extend his remarks in the RECORD in three separate instances and in each to include extraneous matter.

#### CARLTON C. GRANT AND OTHERS

Mr. BYRNE of New York. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 578) for the relief of Carlton C. Grant and others, with Senate amendments, and concur in the Senate amendments.

The Clerk read the title of the bill and the Senate amendments, as follows:

Page 2, line 2, after "Thompson," insert "Ollie Marine."

Page 2, line 14, after "Carolina," insert "W. N. Marine, of route 2, Wilmington, N. C."

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain the amendments?

Mr. BYRNE of New York. The effect of the amendments is to add two names to the original claim.

Mr. MARTIN of Massachusetts. And the gentleman's committee is in favor of the amendments?

Mr. BYRNE of New York. Yes.

Mr. MARTIN of Massachusetts. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

#### VICTOR R. BROWNING & CO., INC.

Mr. BYRNE of New York. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 599) for the relief of Victor R. Browning & Co., Inc., with Senate amendments, and concur in the Senate amendments.

The Clerk read the title of the bill and the Senate amendments, as follows:

Page 1, line 8, strike out "-13698" and insert "3461."

Page 1, lines 8 and 9, strike out "dated."

Page 2, line 3, after "Carolina," insert "which was withheld from payments otherwise due the Victor R. Browning & Co., Inc., under contract numbered NOY-13698."

Mr. BYRNE of New York. Mr. Speaker, the amendments are only clarifying and do not affect the bill as passed by the House.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

#### SPECIAL ORDER GRANTED

Mr. MASON asked and was given permission to address the House for 10 minutes on Wednesday and Thursday of this week after disposition of matters on the Speaker's desk and at the conclusion of any special orders heretofore entered.

#### EXTENSION OF REMARKS

Mr. ANGELL asked and was given permission to extend his remarks in the RECORD and include an article.

Mr. JENSEN asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial by Arthur Krock appearing in the New York Times of yesterday.

Mr. NORBLAD asked and was given permission to extend his remarks in the Appendix of the RECORD in three instances and include editorials.

Mr. DAVIS of Wisconsin asked and was given permission to extend his remarks in the Appendix of the RECORD and include a newspaper editorial.

Mr. GROSS asked and was given permission to extend his remarks in the Appendix of the RECORD and include a letter from a constituent on the farm program.

Mr. TOLLEFSON asked and was given permission to extend his remarks in the Appendix of the RECORD and include extraneous matter.

Mr. VAN ZANDT asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial taken from the United Mine Workers Journal on the subject, Stop the St. Lawrence Folly.

Mr. FENTON asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. JUDD asked and was given permission to extend his remarks in the Appendix of the RECORD and include extraneous matter.

#### UNEMPLOYMENT ALLOWANCE TO VETERANS, JULY 11, 1949

Mr. DAVENPORT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DAVENPORT. Mr. Speaker, I am today introducing a bill calling for the extension of the 52-20 unemployment allowance to veterans. My proposal is to extend the present law until February 25, 1950. We have only until July 25 to take care of this important matter for at that time the present law expires. Time is rapidly running out.

Other, and more cumbersome, bills have been introduced to lend a helping hand to those who lent us a helping hand in our great hour of need. I have stipulated February 25, 1950, so that the present Congress can help quickly and not find it necessary to go into the complex long-range problems involved.

#### FEDERAL NATIONAL MORTGAGE ASSOCIATION

Mr. SPENCE. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Joint Resolution 114 to provide an increase in the authorization for the Federal National Mortgage Association.

The Clerk read the Senate joint resolution as follows:

*Resolved, etc.* That section 302 of the National Housing Act, as amended, is amended to read, as follows:

"Sec. 302. The total amount of investments, loans, purchases, and commitments

made by the Association shall not exceed \$1,500,000,000 outstanding at any one time. The Association is authorized to issue and have outstanding at any one time notes and other obligations in an aggregate amount sufficient to enable it to carry out its functions under this act or any other provision of law."

Sec. 2. Section 4 (c) of the Reconstruction Finance Corporation Act, as amended, is hereby amended by striking out "\$2,000,000,000" and inserting in lieu thereof "\$2,500,000,000."

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, will the chairman of the committee briefly explain this resolution?

Mr. SPENCE. Mr. Speaker, this resolution increases the authority of the Federal National Mortgage Association by \$500,000,000 to provide a secondary market for mortgage loans. The authority of the Federal National Mortgage Association has now practically been used up and it has caused the cessation of activities of that association. The Federal National Mortgage Association and all the agencies of the Government connected therewith feel it is essential that this authority be continued. There has also been a general cry for help from prospective borrowers from all sections of the country that this authority be granted.

The Federal National Mortgage Association has sustained no loss; in fact, it has made a profit, and I assume that the future operations will be as successful as they have been in the past.

Mr. BROOKS. Mr. Speaker, will the gentleman yield?

Mr. SPENCE. I yield to the gentleman from Louisiana.

Mr. BROOKS. As a matter of fact, has not word gone out there will be no more rediscounting of these mortgage loans and, as a consequence, that particular program is at a standstill?

Mr. SPENCE. It is at a standstill at the present time because of lack of authority in the Federal National Mortgage Association to purchase these securities as it furnishes a secondary market without which the lending institutions refuse to make the loans.

Mr. SMATHERS. Mr. Speaker, will the gentleman yield?

Mr. SPENCE. I yield to the gentleman from Florida.

Mr. SMATHERS. Does this mean that the Committee on Banking and Currency will not now consider favorably the bill H. R. 1938 which, as I understand it, originally had the title "Federal National Mortgage Association"?

Mr. SPENCE. It does not mean we will fail to consider any other legislation. We bring this legislation up at this time because it is essential and we feel it needs expeditious action.

Mr. SMATHERS. I would like to agree with the gentleman and commend him for reporting it out.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. I would like to ask the gentleman if this

bill provides for the continuation of selling these mortgages to the RFC?

Mr. WOLCOTT. That is right. It is with the same standard and with the same limitations that they are selling them now. They do not sell them to the RFC. They sell them to the Federal National Mortgage Association, which is a subsidiary of RFC.

Mr. AUGUST H. ANDRESEN. How about the old mortgages that the bank and others hold that they were prohibited from turning over to the RFC? Does it reinstate them?

Mr. WOLCOTT. No. It does not change the organic law, or the basic law, in any respect. It merely increases the authorization from about a billion dollars to a billion and a half.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONTRACT SETTLEMENT ACT OF 1944—  
VETO MESSAGE FROM THE PRESIDENT  
OF THE UNITED STATES (H. DOC. NO. 253)

The SPEAKER laid before the House the following veto message from the President of the United States:

*To The House of Representatives:*

I am returning herewith, without my approval, the enrolled bill, H. R. 834 "to amend the Contract Settlement Act of 1944 so as to authorize the payment of fair compensation to persons contracting to deliver certain strategic or critical minerals or metals in cases of failure to recover reasonable costs, and for other purposes."

H. R. 834 would compensate the mining industry for virtually all losses sustained during the war in connection with mining, or attempting to mine, strategic or critical metals and minerals. It would provide compensation for losses including net capital expenditures which occurred in filling or attempting to fill formal contracts. It would also provide compensation for losses which occurred in attempting to supply such metals and minerals even where no contract was entered into and no Government official knew of the efforts being made to supply the material.

The principle that the Government should compensate war contractors, and volunteers acting without contracts, for losses sustained by them in activities related to the war has not generally been accepted. The implications of this principle are profound, both with respect to our finances and with respect to our free enterprise system, and should be carefully considered before this principle is accepted.

H. R. 834 adopts this principle with respect to a single industry, the mining industry.

During the war many important metals and minerals were in short supply and efforts were made to increase their production. The United States Bureau of Mines and the United States Geological Survey provided assistance in exploration

and development work, at no direct cost to the miner. The Reconstruction Finance Corporation stood ready to make mining loans to persons in need of finances to develop mining properties. The Defense Plant Corporation stood ready to construct and equip mining projects. The Metals Reserve Co. offered to purchase the materials produced, either through specific contracts or by purchasing odd lots. The Premium Price Plan for copper, lead, and zinc provided an operating subsidy for increased production.

All of these activities were carried out within the traditional framework of our free-enterprise system. The terms and conditions of the assistance which would be provided were specified in advance. A man who thought he could operate profitably under these conditions was free to do so, and to retain the profits if his operation was successful. If, however, the operation was unsuccessful, either because his costs were higher than expected or because his expectations as to the supply of ore were not realized, it was assumed that he would bear the loss.

The Government might have made use of the cost-plus contract system for operating the mines of the country during the war, in spite of the general reluctance to do so because of the increased costs which would be expected to result from this system. However, this would have eliminated and deprived the mining industry of any profits during the war, except to the extent of the fee involved. Whether this would have been more effective in getting out the needed materials, whether it would have been more economical to the Government, and whether the mining industry would have welcomed it, cannot now be determined. The fact is that the Government did not enter into cost-plus contracts for the operation of the mines. To compensate the unsuccessful for their losses, while the successful retain their profits, leaves the taxpayer with all the harmful results of the cost-plus system and none of its benefits.

I do not believe that the mining industry as a whole wants to adopt the policy that the Government should guaranty it against loss in time of emergency. Regulation of industry and assistance to industry in time of war are necessary. They can be carried out without eliminating all risk of financial loss and opportunity for profit with the resulting incentive for greater efficiency and lower costs.

While the mining industry differs in many respects from other industries, I find no valid basis for the discrimination proposed by H. R. 834. Other industries were urged to do their part in the war program, and other industries responded as splendidly to the challenge of the war-time programs as did the mining industry. Many of these industries were also exposed to risks that were unique to them. They too sustained losses in enterprises undertaken as a part of the war effort. Approval of this bill would likely result in demands by many other classes of persons for amendments which would grant similar relief to them.

Section 2 of H. R. 834 carries the principle of reimbursing war contractors for their losses over to persons who may have had no dealings at all with the Government, and who may have engaged in a mining operation which the Government would have discouraged or forbidden, if the matter had been brought to its attention. Where the Government specifically requested that an operation be undertaken for the purpose of supplying materials to a contracting agency or war contractor, under circumstances which would have led the miner to expect reimbursement, relief can now be had by a person acting on such a request under section 17 of the Contract Settlement Act. Here the elements of a contract are present, together with a fair basis for compensation for the loss resulting from failure by the Government to live up to the expectations it had brought about. Under the proposed amendment, no such basis for liability exists. In fact, the opposite might be the case. A person, hearing of the need for a scarce mineral over the radio might in good faith hurt the war effort considerably by making, on his own initiative, a substantial expenditure of manpower and materials in a fruitless mining operation—however much reason he had to believe minerals were present and however free he might be of fault, negligence, or speculative purposes. Furthermore, the application of the principles in this section would subject the Government to an unknown and undeterminable liability and would have a disturbing effect upon wartime controls over materials and manpower.

The Contract Settlement Act of 1944 has been in effect for almost 5 years. The provisions of this act were enacted for the speedy settlement of terminated war contracts. Many settlements have been made under it and many decisions have been made by the boards established under it. I consider it a highly successful piece of legislation, and one which has contributed substantially to the transition from all-out war production.

The Lucas Act, too, of August 7, 1946 (60 Stat. 902), made generous provisions for the payment of equitable claims of contractors including those in the mining industry for losses which occurred in the performance of their contracts.

The enrolled enactment would reopen the entire contract settlement program with respect to minerals and metals at a time when that program has been practically completed. The principle of the finality of settlements, which was adopted in the Contract Settlement Act and which experience has demonstrated to be sound, would be abandoned. Contracts which were canceled because of default by the contractor, contracts which were completed, contracts which have been approved by the courts would be reopened and new claims could be filed by the contractors. This would add a tremendous administrative burden and expense. Moreover, since the personnel familiar with the metals and minerals program have, for the most part, left the Government, it would be very difficult to protect the Government's interest. It



would be especially difficult to ascertain the facts with respect to claims made under section 2.

It should be noted that the Office of Contract Settlement reported to Congress that, as a result of a thorough survey, it had determined that the provisions used by Metals Reserve Company—and Reconstruction Finance Corporation as its successor—in terminating and settling contracts for the purchase of metals and minerals provided fair compensation in accordance with the principles of the Contract Settlement Act of 1944.

In my opinion, it would be a serious error to introduce at this time a new principle—insurance against war-caused losses. This would involve reopening the entire program of financing the war, with incalculable effects upon our finances.

To introduce this principle in the case of a single industry would not only give effect to an unsound principle and establish an unfortunate precedent but it would give rise to an unjustifiable discrimination.

HARRY S. TRUMAN.

THE WHITE HOUSE, July 11, 1949.

The SPEAKER. The objections of the President will be spread at large upon the Journal.

By unanimous consent, the bill and message were referred to the Committee on the Judiciary and ordered to be printed.

MIDYEAR ECONOMIC REPORT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 252)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Joint Committee on the Economic Report, and ordered to be printed:

THE WHITE HOUSE,  
Washington, D. C., July 11, 1949.

The honorable the PRESIDENT OF THE SENATE.

The honorable the SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIRS: I am presenting herewith a Mid-year Economic Report to the Congress. This is supplementary to the Economic Report of the President of January 7, 1949, and is transmitted in accordance with section 3 (b) of the Employment Act of 1946.

In preparing this report I have had the advice and assistance of the Council of Economic Advisers, members of the Cabinet, and heads of independent agencies.

Together with this report I am transmitting a report, the Economic Situation at Midyear 1949, prepared for me by the Council of Economic Advisers in accordance with section 4 (c) (2) of the Employment Act of 1946.

Respectfully,

HARRY S. TRUMAN.

#### EXTENSION OF REMARKS

Mr. JENNINGS asked and was given permission to extend his remarks in the Record and include an editorial.

Mr. PACE asked and was given permission to extend his remarks in the Record and include an editorial.

Mr. KIRWAN (at the request of Mr. MANSFIELD) was given permission to extend his remarks in the Record and include a speech.

#### PUERTO RICO FARM LOANS

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 266 and ask for its present consideration.

The Clerk read the resolution, as follows:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 3699) to amend the Federal Farm Loan Act, as amended, to authorize loans through national farm-loan associations in Puerto Rico; to modify the limitations on Federal land-bank loans to any one borrower; to repeal provisions for subscriptions to paid-in surplus of Federal land banks and cover the entire amount appropriated therefor into the surplus fund of the Treasury; to effect certain economies in reporting and recording payments on mortgages deposited with the registrars as bond collateral, and canceling the mortgage and satisfying and discharging the lien of record; and for other purposes. That after general debate which shall be confined to the bill and to continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SMITH of Virginia. Mr. Speaker, this rule makes in order the bill H. R. 3699, reported unanimously by the Committee on Agriculture.

The object of the bill is to extend the Federal Farm Loan Act so as to permit the making of loans in Puerto Rico and Alaska. It also raises the limit of the amount of loans which may be made, doing away with the \$50,000 limit, but retaining the provision that all loans over \$25,000 must be approved by the Commissioner himself.

Strange as it may seem this bill also returns to the Federal Treasury \$189,000,000 which was advanced to the Federal land banks, and for which they have no further need. They are in splendid condition and are now owned by their various and sundry members.

Mr. Speaker, I reserve the balance of my time and I yield such time as he may desire to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, as the gentleman from Virginia [Mr. SMITH] has explained, this is a rather simple bill. It does give authority for the Federal land banks to operate under the Federal Farm Loan Act in Puerto Rico, but above all does save, or returns to the Treasury, \$189,000,000, and I hope everyone is in favor of that.

There are no requests for time on this side. The measure was reported unani-

mously, as I understand it, both by the legislative committee and the Committee on Rules.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. COOLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 3699) to amend the Federal Farm Loan Act, as amended, to authorize loans through national farm-loan associations in Puerto Rico; to modify the limitations on Federal land-bank loans to any one borrower; to repeal provisions for subscriptions to paid-in surplus of Federal land banks and cover the entire amount appropriated therefor into the surplus fund of the Treasury; to effect certain economies in reporting and recording payments on mortgages deposited with the registrars as bond collateral, and canceling the mortgage and satisfying and discharging the lien of record; and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 3699, with Mr. HUBER in the chair.

The clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from North Carolina [Mr. COOLEY] is recognized for 30 minutes, and the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN] will be recognized for 30 minutes.

Mr. COOLEY. Mr. Chairman, as has been explained by the gentleman from Virginia [Mr. SMITH] and the gentleman from Ohio [Mr. BROWN], this bill is very simple. At the same time it is very important. It does recapture and cover into the Treasury the sum of \$189,000,000.

Without attempting to discuss the bill myself, I would like to yield to the gentleman from Texas [Mr. POAGE], chairman of the subcommittee which conducted the hearings and reported this bill unanimously to the Committee on Agriculture. The bill was reported unanimously by the entire Committee on Agriculture.

I now yield to the gentleman from Texas [Mr. POAGE] 7 minutes.

Mr. POAGE. Mr. Chairman, this bill does four different and distinct things. These different changes are all thrown into the one bill because they all involve changes in the organization of the Federal Land Bank System. The bill was captioned "A bill to extend privileges of land-bank borrowing to Puerto Rico, and for other purposes." Frankly, it will be my purpose when the bill is read for amendment to offer two amendments that will extend the privileges of the farm-credit system to Puerto Rico, Alaska, and Hawaii, because it seems that they should all be placed on a parity, and other bills were introduced to accomplish that purpose. It can all be done, however, in this one bill. On that

point may I call attention to the fact that under the original land-bank law 12 districts were set up, all in the continental United States. Provision has been made for the execution of loans in Puerto Rico but they had to be handled as direct loans through the Baltimore bank, a direct departure from the policy of the Land Bank System which is a cooperative system under which all of the stock is owned by the borrowers. It was hoped when the system was started, and it has proven true, that the system could be operated as a purely farmer-owned cooperative system. The present policy of requiring loans for Puerto Rico, Alaska, and Hawaii to be made by branch banks and on different terms than is done in the continental United States does create an incongruity in the Land Bank System; it works to weaken the system.

The experience of the bank with loans in Puerto Rico has been that they have been repaid even better than loans made during similar periods of time in some States of the Union. The loans made through the Baltimore bank—and I say this without intending to cast any reflection on the States included in the Baltimore area—the experience of the loans made in Puerto Rico has been better than on loans made in some of the States of continental United States. So we feel that there should be no objection to the policy of extending to the outlying areas of the United States the same principle that we have now in continental United States.

Section 2 of the bill authorizes a change in the lending powers of the bank. Presently, the land banks are limited to loans of \$50,000. You will immediately ask why they should increase the amount. There are two reasons, as I see it, that are fundamental: In the first place the Land Bank System is no longer owned by the Federal Government but is owned entirely by the farmers; and, it seems to me, they should be allowed to make loans to such of their members as they wish wherever these loans are shown to be sound. The more important factor, however, is that in order to carry the small loans that we all want to see carried by the land-bank systems, loans of \$500 or \$1,000, and going on up to \$2,500, the banks lose money. On handling those small loans it is inevitable that they lose money, because the cost of servicing those loans is all out of proportion to the cost of servicing the larger loans. There are the same attorney fees; there are the same recording fees; there are the same examination fees, and, in most instances, the bank has all of the overhead on a loan of \$500 that it would have on a loan of \$100,000.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield.

Mr. AUGUST H. ANDRESEN. Section 2 provides that home loans shall not be made in excess of \$25,000; yet the law provides that loans may be made up to \$50,000. The Land Bank Commissioner, however, is given the opportunity of approving applications for \$25,000. Does the language in section 2 authorize the Land Bank Commissioner to approve loans up to \$50,000?

Mr. POAGE. The law allows loans to be made up to \$50,000 at the present time.

This bill amends the present law in this respect: Under this bill there is no upper limit for approval by the Land Bank Commissioner when submitted to Washington. The Land Bank Commissioner must approve all those above \$25,000, although it requires that the banks give preference to loans under \$10,000. The present limit is not \$25,000 as the gentleman understood, it is \$50,000. The requirement about the \$25,000 is that in any loan in excess of \$25,000 the security shall be submitted to the Land Bank Commissioner and receive his scrutiny before the loan is approved. The purpose of that, of course, is to make certain that the security offered for these larger loans meets every possible test and is just as good as we can get in the way of security. That is the reason it is required in the case of large loans not only that the local Farm Loan Association endorse the notes as they are required to do today, not only that the local land bank approve the loans but if the loan exceeds \$25,000 that it be submitted to the Land Bank Commissioner in order that he may again scrutinize it and determine that there is no possibility of loss on the loan. Actually these loans are the most profitable loans that the land bank can make. Actually the experience of loss on these larger loans is far better than on the smaller loans because they are well scrutinized.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. COOLEY. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. POAGE. Mr. Chairman, these larger loans are generally loans made on business operations—that is, the larger ranches and the larger farms, those that are run on a businesslike basis. They are the best loans and the interest from those large loans enables the land bank to carry many of the smaller loans that it simply could not carry if it was not allowed to go into this field.

Mr. Chairman, section 3 of this bill returns to the Treasury of the United States \$189,000,000. That there may be no misunderstanding about that, I want you to know how this money became available. During the depression of the thirties the Congress from time to time appropriated money and made it available for operative capital of the land banks. This was Federal money, just as the Government bought stock in the national banks all over the country; it was Federal money in the land banks. That money has all been paid back, every dollar of it. The banks have paid it out. They do not have any Federal money in their operations now, it is all private money that is operating the land banks. This money has gone back to the Government, but it is held in a special fund which is available under the present law to be put into the capital structure of the land banks at any time. This bill returns that money to the Treasury of the United States, it adds nearly \$200,000,000 that you can count off and credit against the appropriations we are making.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, the gentleman from Texas has fully explained this bill, which was unanimously reported by the Committee on Agriculture of the House. There is no opposition to the bill on this side and there are no requests for time; therefore I recommend that the bill be read for amendment.

Mr. COOLEY. Mr. Chairman, I yield 5 minutes to the gentleman from Alaska [Mr. BARTLETT].

Mr. BARTLETT. Mr. Chairman, this bill can be of real importance in the agricultural development of Alaska. As the report from Secretary Brannan to the Speaker dated April 18, 1949, points out, Alaska is in the same situation as Puerto Rico in that legal authority is not available for organizing or chartering national farm associations. Direct loans through a branch bank have been made in Puerto Rico. No such loans have been made in Alaska. Section 1 of H. R. 3699 would permit the formation of national farm associations in Alaska and Puerto Rico on the same basis as elsewhere.

The committee amendment in the form of a new section 5 takes care, so far as Alaska is concerned, of an omission in existing law which I sought to correct through H. R. 215 and the enactment of which will not be necessary because of the provisions of the new section 5. That section makes it clear that Alaska, Puerto Rico, and Hawaii shall be included in the 12 districts in the United States incorporated in the Farm Credit Act of 1937. So far as Alaska, at least, is concerned, existing law leaves grave doubt as to whether the district banks for co-operatives or production credit associations may operate in the Territory.

Of course, there is no sound reason at all why Alaska should not be on a basis of absolute parity with the States and with the other Territories in respect to laws in aid of agriculture. The fact that parity has not existed is one of the primary reasons, in my opinion, why there has not been more rapid and more effective utilization of Alaska's farming potentialities. There have been very obvious discriminations against the Alaska farmer. At the present time there are available to him only the very limited credit facilities of the Farmers Home Administration. Money for the Alaska office of that Administration is allocated from a common pot for the Pacific Northwest and is never adequate in amount to satisfy the requirements in the Territory. Other than such aid as can be given by the FHA, the Alaska farmer, attempting to build up an agricultural economy, is altogether on his own. He not only faces all the handicaps that confronted the homesteader in the West but he has the additional obstacles placed in his way by the high latitudes in which he works.

Mr. Chairman, I am proud to say that this House at this session of Congress has done much to remove the discriminations referred to above and to ease the way for the Alaska farming pioneer of the midtwentieth century. Within the



last month the House has passed legislation to authorize appropriations for Alaska equivalent to the full amounts for every State, Hawaii, and Puerto Rico under the acts having to do with experiment stations and with extension service. In Alaska, where we should have been moving forward under a broad and comprehensive program to bring the land into agricultural production, we have up to this time failed to do as much as elsewhere within existing formulas. If the bills referred to become law, a notable step ahead will have been taken.

Another bill which passed the House at this session will do much for Alaska farmers if it becomes law. That is the bill introduced by the gentleman from Idaho [Mr. SANBORN], providing that loans may be made to homesteaders who have not yet acquired title to the land. This type of loan will make it possible to advance money to homesteaders for clearing purposes and thus will give the settler substantial aid when he needs it most; that is, when he is short of funds and when he is trying to carve a home and a farm out of the wilderness.

Mention should also be made of the fact that a cooperative program has been instituted between the University of Alaska and the Department of Agriculture for fundamental research on a scale that should have been established long ago.

Just the other day, Mr. Chairman, our colleague, the gentleman from Michigan [Mr. MICHENER] was telling me of having been to Fairbanks in 1923. He said he was impressed by the quality of the crops being grown but was surprised at the small acreage at the experiment station. He would find many changes, Mr. Chairman, in the 26 years which have intervened since then. The changes would be even greater and more favorable if this Government had moved forward long ago in an aggressive way to assist agriculture in Alaska and to assist settlers in locating on the land.

The notion that has been prevalent through the years and even yet is all too prevalent that Alaska is a country of arctic characteristics should be dispelled whenever and wherever possible. That description can be applied to only a relatively small part of that great land of 585,000 square miles and has no pertinence whatsoever as to most of the Territory.

It is true that difficulties are found by farmers which are unique but there is nothing that cannot be overcome. It may be that Alaska will not within our time become a great agricultural community. But there is room and room now for many more farmers and we can do much by way of supplying our own needs for certain foodstuffs. Alaska is blessed with so many resources of so many kinds that it has always seemed to me that a reasonably sized agricultural population there, and another segment of the population engaged in other pursuits, could provide the kind of economy that would be mutually beneficial to Alaska and to the States. With more farmers we should not have to import certain crops that can be raised in Alaska. With the building up of our industries, with further exploitation of

fishing when that can properly be brought about, with an expansion of mining, with utilization of our timber, and with further industrial growth, Alaska's population will increase and Alaska's natural resources will flow back to the United States to add to the wealth of the Nation. With this growth there will be a natural increase in Alaska's agricultural economy and at the same time there will be a further demand for agricultural products from the States. Thereby there will be created an ever-increasing mutually beneficial two-way flow of commerce.

Estimates have been made that there are 65,000 square miles of Alaska suitable for agriculture and another 35,000 square miles suitable for grazing. The Matanuska Valley has 768,000 acres and of this amount it is estimated 65 percent can be cleared for cultivated crops or permanent pastures. The Tanana Valley contains 7,000 square miles, of which a measurable fraction can be utilized for agriculture. On a dollar basis the present production in Alaska is not large. It is running now on the order of about \$2,000,000 annually including dairying and livestock raising. On a basis of comparison with great agricultural areas that figure may be small, but on a basis of comparison with past production in Alaska it is highly gratifying. If this bill now before the House passes and becomes law; if the other bills referred to become law, I know that there is enough pioneering instinct in the people of America yet to establish in Alaska a worth-while agricultural development. Of course, the pioneer should receive especial aids but in Alaska he has received practically none at all and that is one of the great reasons why development has tended to lag. There is a striking example across Bering Strait of what can be done. The Soviet government in Siberia, in comparable latitudes and in comparable soil conditions has built up a great and ever-increasing agricultural industry. Primary research of the kind so vital in subarctic conditions was undertaken there long since and the results have been demonstrated in the steady expansion of agriculture in Siberia. In many other fields the Russian Government has aided the farmer, while we have done nothing.

If we are going to build up a substantial population in Alaska, we must have a larger farming population. To insure that population going to Alaska and staying there there must be certain minimum aids and the legislation which I have discussed will provide those aids.

It is now necessary that Alaska advance on all fronts not only for its own sake but for the sake of the Nation. It is our first line of defense.

Mr. COOLEY. Mr. Chairman, I ask unanimous consent that the bill be considered as read and be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The bill is as follows:

*Be it enacted, etc.,* That (a) section 4 of the Federal Farm Loan Act, as amended (title 12, U. S. C. 672), is hereby further amended

by adding a new paragraph to said section immediately following the second paragraph thereof to read as follows:

"Notwithstanding the provisions of this section, loans may be made in Puerto Rico and Alaska through national farm-loan associations, and the interest rate applicable to such loans shall be as provided in section 12 of this act. Said associations shall be organized pursuant to section 7 of this act, except that, upon the recommendation of the Federal land bank concerned, any such national farm-loan association may be organized by 10 or more borrowers who have obtained direct loans through a branch bank which aggregate not less than \$20,000, and who reside in a locality which may be covered and served conveniently by the charter of a national farm-loan association and any national farm-loan association after it has become organized may permit any direct-loan borrower through a branch bank to join the association. As to any direct-loan borrower through a branch bank who participates in the organization of a national farm-loan association or joins a national farm-loan association after it has become organized (1) the association shall endorse, and thereby become liable for the payment of, his mortgage loan held by the Federal land bank; (2) the stock in the Federal land bank held by him shall be exchanged for a like amount of stock in said bank issued in the name of the association and the association shall issue a like amount of its stock to him, all in the manner and subject to the terms and conditions provided in the fifteenth paragraph of section 7 of this act (title 12, U. S. C. 723 (d)); and (3) the interest rate payable by him, beginning with the next regular installment date following the endorsement of his loan, shall be reduced to a rate one-half of 1 percent per annum less than the rate paid by him prior to such endorsement."

(b) The last sentence of the first paragraph of section 4 of the Federal Farm Loan Act, as amended (title 12, U. S. C. 672), is further amended by striking the words "by such branch bank" from the proviso at the end thereof.

(c) The first sentence of the twelfth paragraph of section 7 of the Federal Farm Loan Act, as amended (title 12, U. S. C. 723 (a)), is further amended by striking the words "in the continental United States."

SEC. 2. Paragraph "Seventh" of section 12 of the Federal Farm Loan Act (title 12, U. S. C. 771) is hereby amended to read as follows:

"Seventh. The amount of loans to any one borrower shall not exceed \$25,000 unless approved by the Land Bank Commissioner, nor shall any one loan be for a less sum than \$100, but preference shall be given to application for loans of \$10,000 and under."

SEC. 3. All of paragraph "Tenth" of section 13 of the Federal Farm Loan Act, as amended (title 12, U. S. C. 781, 10th), except the first and third sentences thereof is hereby repealed. The Secretary of the Treasury shall cause to be carried to the surplus fund and covered into the Treasury the total amount appropriated for subscriptions to paid-in surplus of the Federal land banks and now held in the revolving fund created pursuant to the provisions of law hereby repealed.

SEC. 4. The first paragraph of section 22 of the Federal Farm Loan Act, as amended (title 12, U. S. C. 891), is hereby amended to read as follows:

"Whenever any Federal land bank, or joint-stock land bank, shall receive any principal payments upon any first mortgage or bond pledged as collateral security for the issue of farm-loan bonds, it shall forthwith notify the farm-loan registrar thereof as may be required by the Farm Credit Administrator. Said registrar shall reflect such payment on his records in such manner as may be prescribed by the Farm Credit Administration. Upon notice from the bank that any such

mortgage is paid in full, said registrar shall cause the same to be delivered to the proper land bank, which shall promptly cancel said mortgage and transmit such canceled mortgage, together with a release or satisfaction thereof as may be required to satisfy and discharge the lien of record, to the original maker thereof, or his heirs, administrators, executors, or assigns."

With the following committee amendment:

Page 2, line 6, after "be", insert "as."

The committee amendment was agreed to.

Mr. POAGE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POAGE: On page 3, line 9, strike out all of section (b) and renumber section (c) in line 13 so that it will hereafter be designated as section (b).

Mr. POAGE. Mr. Chairman, this amendment, with the one that will follow it, will have the effect of striking out of the present law the requirement that the operations of the land banks in Alaska, Hawaii, and Puerto Rico be operated through branch banks. The bill as originally written did not extend these provisions to Hawaii. This amendment and the amendment which will immediately follow will extend the operations not only of the land banks itself but of all of the farm credit institutions to all three of the outlying parts of the United States on the same terms as within the United States.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The amendment was agreed to.

Mr. POAGE. Mr. Chairman, I offer a further amendment.

The Clerk read as follows:

Amendment offered by Mr. POAGE: On page 5, at the end of the bill, add a new section to be known as section 5 and to read as follows:

"Section 5. The first sentence of section 5 (a) of the Farm Credit Act of 1937 (50 Stat. 703) is amended to read as follows:

"There shall be 12 districts in the United States, including Alaska, Puerto Rico and Hawaii, which shall be known as farm-credit districts and may be designated by number."

Mr. POAGE. Mr. Chairman, this amendment is necessary, along with the first one, to accomplish the result of extending farm credit facilities to all three of these areas. This changes the present law, which provides that there shall be 12 districts exclusive of Alaska, Hawaii, and Puerto Rico, and includes those areas.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HUBER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 3699) to amend the Federal Farm Loan Act, as amended, to authorize loans through national farm-loan associations in Puerto Rico; to modify the limitations on Federal land-bank loans to any one

borrower; to repeal provisions for subscriptions to paid-in surplus of Federal land banks and cover the entire amount appropriated therefor into the surplus fund of the Treasury; to effect certain economies in reporting and recording payments on mortgages deposited with the registrars as bond collateral, and canceling the mortgage and satisfying and discharging the lien of record; and for other purposes, pursuant to House Resolution 266, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

#### PAYMENT OF CERTAIN CLAIMS AGAINST THE UNITED STATES

Mr. LYLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 221 and ask for its present consideration.

The Clerk read the resolution, as follows:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 937) to authorize the Secretary of the Treasury to affect the payment of certain claims against the United States. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. LYLE. Mr. Speaker, this resolution makes in order the immediate consideration of a bill to authorize the Secretary of the Treasury to settle four claims against the United States in behalf of foreign claimants. As far as I know there is no controversy.

Mr. Speaker, I now yield 30 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, as the gentleman from Texas has well explained, House Resolution 221 makes in order consideration of the bill S. 937. The resolution provides for 1 hour of general debate under an open rule. The bill involves a number of small claims of the British and Norwegian Governments. There is certainly no opposition, that I know of, to the rule providing for the

consideration of this bill. However, I understand there will be some discussion, and perhaps some amendments, in the Committee of the Whole.

Mr. Speaker, I have no requests for time.

Mr. LYLE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. KEE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 937) to authorize the Secretary of the Treasury to effect the payment of certain claims against the United States.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 937, with Mr. KARST in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. KEE. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, this is a bill authorizing the Secretary of the Treasury to settle four claims, three of which are claims by citizens of Great Britain against the Government of the United States, and one by a citizen of Norway. The settlement of these claims has been agreed upon through diplomatic channels. Therefore it requires a separate bill and a rule to bring the matter before the House so that the Congress may agree to the settlement. The bill, having passed the Senate, is now before you for consideration.

Mr. Chairman, I yield 10 minutes to the gentleman from Florida [Mr. SMATHERS].

Mr. SMATHERS. Mr. Chairman, as the chairman of the Committee on Foreign Affairs has already pointed out, we have under consideration the bill S. 937, which involves only four small claims by noncitizens of the United States against the Government of the United States.

This bill passed the Senate on March 18 of this year. The total amount of money that is sought under these four claims amounts to only \$23,384. So in comparison with the amounts of money which we have been dealing with, it is certainly a negligible amount.

This bill and these claims were considered thoroughly by the Foreign Affairs Committee of the House on two separate days, and was reported out by our committee after debate, and then recommended that the Committee of the Whole approve it.

Briefly, these claims are as follows: I will run through them so that you will know what they are.

The first is a claim by the parents of a young man whose name was James D. Wiggins, who, while 21 years old, served on a British sampan in the Whangpoo River in China as an assistant cook. He was sitting out on the deck one night when suddenly and without warning some shots rang out and this young man fell. In a short time he was dead. The investigation revealed that he was shot



by a United States naval seaman whose name was Coyne and then serving on a United States naval surface craft. The Navy called a board of investigation. The board of investigation looked into the matter and discovered that Coyne acted without authority. I would like to read just exactly what they said. They found that this shot was fired without reasonable cause or provocation, in that there was no evidence to indicate that the sampan involved was a menace or a threat to the ship's safety; that the sentry had acted without due cause or circumspection and with a recklessness which implied indifference to the consequences; and that appropriate steps had not been taken to insure the sentries aboard the *U. S. S. Carter Hall* were properly instructed, selected, trained, and supervised.

This boy, the deceased Wiggins boy, had made an allotment to his family. They no longer could get that allotment. They presented, through their Ambassador, a claim against the United States Government for the death of their son. After many notes back and forth, and the approval of the United States Navy and State Department, it was agreed that the United States Government should compensate J. D. Wiggins' family by giving payment to them of the sum of \$12,097. That is the first claim.

The second claim with which we are concerned is one which resulted in 1944, when a Spanish ship, the *Christina*, which was then on Red Cross duty, docked at a small harbor in France, and was bombed by British and American air forces. The investigation revealed that information had been supplied to the Allied command that this Red Cross ship was in that harbor. However, that information did not seep on down to the strategic command, with the result that a bombing raid was held on this port, and this ship was bombed and damaged, even though it was a Red Cross ship and a Spanish ship.

The British Government paid the full amount of the claim. Because both American and British airplanes participated, they—the British—have properly asked that the United States pay its half. Certainly, it is a well-established precedent that the United States should pay that claim.

The third claim is that of the Norwegian Government on behalf of one of its citizens, a man by the name of Jorgensen. It seems that Jorgensen was master of a ship which was attacked while that ship was in neutral waters, waters controlled by the Portuguese Government. That ship was attacked by naval craft operating under the control of Gen. Douglas MacArthur. The facts reveal that the weather was bad, and the visibility was poor, and when the attack was made the plane strafed and bombed this ship on which Jorgensen was master, and Jorgensen was severely and grievously injured, with the result that today he is almost completely and permanently disabled. It was admitted, after consultation with the State Department, the Navy, and the Army, that our Government should compensate him in the amount of \$5,354, in accordance with long-standing precedent.

The fourth and last claim we are concerned with has to do with a man by the name of Stoker John Bailey who was assigned to a British ship in Seattle harbor in 1939. He was a British subject serving on a British ship at that time. The situation was that Stoker Bailey went ashore at Seattle. He had a date with a girl named Norma. His friend had a date with a girl named Mary. As sailors are inclined to do everywhere, they went into a tavern and began to socialize. Finally a fellow by the name of John Ittner, who belonged to the United States Navy came in. He apparently knew these two girls. When Bailey saw what was happening he took his girl and they went to another tavern. This fellow Ittner, a member of the United States Navy, followed the girl and Bailey into the second tavern. Obviously Ittner had been drinking. He came over to the table where Bailey and the girl were sitting, picked up a glass, broke the top off of it, and jabbed it into the face of this boy, Stoker Bailey, with the result that Bailey was finally taken to a hospital and his eye had to be removed.

Because Bailey was not injured in line of duty, and because he was injured not in line of duty he was not entitled to a pension from the British Navy. He took the matter up through his commanding officer and he in turn referred the claim to our Ambassador.

Later Ittner was tried by a summary court martial. He was acquitted. The summary court charged him with disorderly conduct, and an ensign who was the court, acquitted him. The case went then to the reviewing authority, the Judge Advocate General of the Navy. It was the opinion of the reviewing authority that the acquittal was a gross miscarriage of justice. But because of the constitutional prohibition which keeps a man from being put into jeopardy, tried for the same offense, Ittner was not tried again. Now Stoker Bailey had been injured but had no place to turn. He was put out of the British Navy. Through his Ambassador Bailey made the claim to the United States in an amount of \$3,024.38.

Mr. Chairman, very briefly, those are the facts on these four claims. As I said a moment ago, the Army, the Navy, and the State Department have all looked into them, where they were concerned, and they have each approved them. The Senate Committee on Foreign Relations has approved the claims; the House Committee on Foreign Affairs has considered all the claims and they, too, have approved them. The bill now comes up for consideration in the House, and we hope the Membership will see fit to pass this legislation.

Mr. SMITH of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. SMATHERS. I gladly yield to the gentleman from Wisconsin.

Mr. SMITH of Wisconsin. I am wondering whether there is anything to justify the claim of Bailey, the stoker, in this bill. The British Ambassador wrote to the State Department and said that under British law there was no way by which he could be compensated. How can he be compensated under the laws of the United States?

Mr. SMATHERS. There is an old principle of international law known as the denial of justice principle. That principle says that wherever there is a denial of justice, where there are no courts to which an alien can go, where there is no tribunal to which he can petition for justice, it is then the responsibility and the duty of the government which controls the person who committed the felony, or the act, or the tort, whichever you wish to call it—that it is that government's responsibility to see that justice is done. I will be glad to supply the gentleman with several citations should he desire them.

Mr. SMITH of Wisconsin. I should like to have them.

Mr. SMATHERS. If there are other questions I would be pleased to answer them. If not, Mr. Chairman, I yield back the balance of my time.

Mr. JUDD. Mr. Chairman, I yield 5 minutes to the gentleman from Tennessee [Mr. JENNINGS].

Mr. JENNINGS. Mr. Chairman, the provisions of this bill (S. 937) for the relief of the parties who are named in sections (c) and (d) on page 2 are unobjectionable; but this proposal to pay the man Bailey \$3,024.38 under the undisputed facts so far as we can consider them facts is a monstrosity. Only last week as a member of the Committee on the Judiciary of the House I had in my hands a bill introduced by the gentleman from New York [Mr. GAMBLE], to pay \$5,000 to the family of a man named Barnett, who was a sailor on a United States ship of war. He drew \$50 from the paymaster on his ship and went ashore in the Philippines with the money in his pocket. He went to a restaurant, got a sandwich, went on the outside of the building and sat down. Three colored men in the uniform of American soldiers approached him and killed him. But we denied any recovery because those American soldiers, if they were such, when they killed that American sailor were not in line of their duty. There was no equitable or legal ground upon which we could base a recovery.

Now, what was Bailey doing. Bailey and his companion came over here and saw fit to come ashore in Seattle. This was 10 years ago, not in wartime. They went ashore and got themselves a couple of girls, Rosie and Norma. They were treading the primrose path of dalliance with these American girls. They met this fellow who ultimately came into the room where they were drinking and eating. He had met these two fellows and the two girls. He went over and pulled up his chair and sat down near Bailey. Just what happened, nobody knows. Ordinarily Americans do not hit another fellow just to be hitting him. But there were two girls there. They were in a drinking and eating place. The American broke the bottom off a tumbler and threw the glass in the Britisher's face. It cut out one of his eyes.

Now, it is stated that this is based on justice. There is no principle of law, international or national, that will justify this Government making an appropriation for a foreign sailor under circumstances and facts like that. We just do not do it.

Mr. Chairman, only last week we turned down a bill, and I refer to members of the Committee on the Judiciary, introduced by our good friend from New York [Mr. GAMBLE], because we could not see any legal or equitable ground upon which to pay for the death of that man. It was just a fight between members of our own armed forces. Here is an American sailor who had previously seen these two fellows with these two girls. He goes over where they are. Something happens. Nobody knows what happened. There is not a syllable of evidence in this record that justifies any award in this case. It is just not right. When a man goes out with a woman on foreign soil he is courting danger.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield to the gentleman from Minnesota.

Mr. JUDD. There were three witnesses to the fight who said that the American without provocation just picked up a glass, broke it, and threw it in the other man's face.

Mr. JENNINGS. There is no evidence of that.

Mr. JUDD. All the evidence there is is to that effect. It was an assault, not a fight.

Mr. JENNINGS. It was just a fight. Now, I have a report right here from the Senate committee in which it is said that they were embarrassed to even make the report, but they did it at the importunity of representatives of the State Department.

Has it come to the point where we are going to treat the British better than we do our own people? We do not owe a dime in this case. It is setting a dangerous precedent. The Senate states in its report that if two American soldiers had gone out and had a fight over a girl, there would be no remedy and nobody would have thought of giving them anything.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. KEE. Mr. Chairman, I yield 10 minutes to the gentleman from Montana [Mr. MANSFIELD].

Mr. MANSFIELD. Mr. Chairman, I do not have to be a lawyer to see the justice of this particular claim. It is true that in committee the Stoker Bailey case was the only one which caused any difficulty among the membership. However, before I go into that I want to call the attention of the House to the fact that the distinguished gentleman from Tennessee [Mr. JENNINGS], who just preceded me, referred incorrectly to the Senate report as a secret document. There is nothing secret about it. It is open for anyone and everyone to see and peruse.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD. I yield to the gentleman from Tennessee.

Mr. JENNINGS. Here is the document. It is marked "Confidential." It says: "The committee notes particularly the claim asserted on behalf of John Bailey as set forth in paragraph (a) of the bill and reluctantly recommends its approval."

Mr. MANSFIELD. Mr. Chairman, I refuse to yield further just for the purpose of reading that document. Here is the Senate report.

Mr. JENNINGS. I know; I have seen that one. That is a camouflaged, toned-down one. I have the confidential one here.

Mr. MANSFIELD. Mr. Chairman, this is Calendar No. 100, Report No. 117. It is not confidential. It is for anyone to see and read, and the part which the judge referred to is included in it.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD. When I get through I will be glad to yield.

Mr. JENNINGS. I think the gentleman ought to yield to me. I have always been courteous to the gentleman. I have handled his bill and I have handled them fairly, and I resent the unfair statement at the gentleman's hands that I am not stating the facts. I have it here in black and white.

Mr. MANSFIELD. The gentleman from Tennessee has always been more than courteous to me and I deeply appreciate it. If the gentleman will pardon me, though this Senate report I have in my hand is not confidential, and it carries the same information on page 5 that the gentleman refers to in the report he is reading from. If the gentleman has a question on this particular report I will be glad to yield to him at this time, but I just want to bring to the attention of the House that this was not a confidential report issued by the Senate Foreign Relations Committee.

Mr. JENNINGS. I have got that report, too.

Mr. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD. I yield to the gentleman from California.

Mr. JOHNSON. Will the gentleman tell us whether the facts in the confidential report are stated in the report that the gentleman says is the public one?

Mr. MANSFIELD. May I say to the gentleman that I have not seen a copy of the confidential report. This is the only one I know about.

Mr. JOHNSON. It has no reference to any other report that was confidential, has it?

Mr. MANSFIELD. No; not that I know of. This is the only report I have here and this contains the same information that the judge brought to our attention.

Mr. JOHNSON. I simply want to get the facts.

Mr. MANSFIELD. Surely.

Mr. SMATHERS. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD. I yield to the gentleman from Florida.

Mr. SMATHERS. In the report that the Senate put out, and which was not confidential, is exactly the same language to which the judge refers. I do not know what he has, but the official report is not confidential.

Mr. MANSFIELD. Maybe the gentleman from Tennessee has a copy of the report before it was released by the Senate committee.

Mr. HILL. Mr. Chairman, I think this is worth listening to, and I make the point of order that a quorum is not present. Let us have the Members of the House present to listen to this argument so that they will know what they are doing when it comes to a vote.

The CHAIRMAN. The Chair will count. (After counting) 60 Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 124]

Abbott	Halleck	Pfeifer,
Addonizio	Hand	Joseph L.
Auchincloss	Harrison	Pfeiffer,
Bailey	Hays, Ark.	William L.
Barrett, Pa.	Hébert	Philbin
Biemiller	Heffernan	Phillips, Calif.
Beall	Heller	Phillips, Tenn.
Blackney	Hinshaw	Pickett
Bland	Hoeven	Plumley
Blatnik	Hollfield	Poulson
Bolling	Howell	Powell
Boykin	Irving	Quinn
Buckley, N. Y.	Jackson, Wash.	Ribicoff
Bulwinkle	Javits	Rich
Burke	Kearns	Richards
Burnside	Kelley	Riehlman
Burton	Kennedy	Rivers
Canfield	Keogh	Rodino
Carnahan	Kilburn	Roosevelt
Cavalcante	Klein	Sabath
Chatham	Kunkel	Sadiak
Chudoff	Lane	Sadowski
Clemente	Latham	St. George
Clevenger	Lichtenwalter	Sasser
Corbett	Lodge	Scott, Hardie
Coudert	McConnell	Shafer
Davies, N. Y.	McGrath	Sheppard
Delaney	McGregor	Simpson, Pa.
Dingell	McMillen, Ill.	Smith, Ohio
Dollinger	McSweeney	Staggers
Dondero	Mack, Wash.	Stigler
Donohue	Marcantonio	Taber
Douglas	Merrow	Tauriello
Elston	Miller, Calif.	Taylor
Fogarty	Miller, Md.	Thomas, N. J.
Fulton	Miller, Nebr.	Vorys
Furcolo	Mitchell	Wadsworth
Garmatz	Morrison	Walsh
Gary	Morton	Weichel
Gilmer	Multer	Welch, Calif.
Gorski, N. Y.	Murdock	Werdel
Granahan	Murphy	Whitaker
Green	Murray, Wis.	Woodhouse
Gwinn	O'Neill	
Hall	O'Toole	
	Edwin Arthur Patterson	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. KARST, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill S. 937, and finding itself without a quorum, he had directed the roll to be called, when 297 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. MANSFIELD. Mr. Chairman, at the time the point of no quorum was made, I was engaged in a colloquy with the gentleman from Tennessee, [Mr. JENNINGS]. The gentleman from Tennessee had called to the committee's attention a report which was put out by the Senate Committee on the Judiciary and which was marked "Confidential" and that particular part of the report which was included in the report made public at a later date contained the following information which the gentleman from Tennessee wanted the committee to keep in mind. I am now quoting



from that report and from the later report:

The committee notes particularly the claim asserted on behalf of John Bailey as set forth in paragraph (a) of the bill and reluctantly recommends its approval, only because of a lack of desire to embarrass the representatives of the Department of State in their negotiations with the representatives of the United Kingdom. There is no doubt that had this altercation occurred between two citizens of the United States or a civilian citizen of the United States and a member of the naval service that no relief would have been afforded the injured party by Congress or any other agency of the Federal Government. This appears to be a private fight engaged in by two men while neither of them were engaged in any official capacity whatsoever.

Mr. Chairman, in committee we had no particular trouble with the last three claims in this bill.

We had considerable argument, however, over the first case named in the bill, the Stoker Bailey claim. It is the one discussed last in the committee report.

To many of us the case looked novel. Some of us, though perfectly sympathetic with the claimant, wondered whether there was any incumbency upon the United States to redress the wrong done.

As we studied the case closely, the issues emerged in clearer outline. It was then apparent that this case, rather than being doubtful, was one of peculiar merit.

Stoker Bailey, a youthful member of the British Navy, was done a brutal wrong just 10 years ago lacking 1 week. The committee's report outlines the circumstances. I shall not repeat them in full here. The main points are these:

He lost his eye as the result of an unprovoked attack.

The attack took place on American soil at Seattle, Wash.

The attacker was a seaman of our Navy. He was tried forthwith before a summary court and was acquitted.

This acquittal put him beyond reach of further punishment under the constitutional ban on double jeopardy.

The trial was held without delay. An ensign was the sole officer of the court. The preferred charge was merely that of disturbing the peace—an odd understatement of the occurrence in which one man had suddenly assaulted another by jamming a broken glass into his eye.

A reviewing officer of the Navy called it a miscarriage of justice. That reviewing officer happens now, 10 years later, to be the Judge Advocate of the Navy, Admiral Colclough.

The Navy Department upheld the view of the reviewing officer. It invited the victim to seek redress through diplomatic channels. The Department has repeatedly supported an award for Stoker Bailey when the case has come before the committee.

Many of us have dealt with cases, particularly involving constituents, in which there appeared to be an abuse of justice against the enlisted man. But this is a case of precisely the opposite character—a case in which the wheels of justice were reversed so as to carry a seaman beyond the reach of condign punishment.

The Navy Department has sought to do the only right thing—officially to acknowledge the wrong and have this Government make restitution to the victim.

Certainly the Congress should show an equal zeal for the reputation of American institutions.

This is a clear case to resolve once the issue is clear. It turns on only one question. What line of action is in accord with the dignity of our country—to show grace to the injured man or to show him a niggardly unconcern?

It is beside the point to say that this case would have no standing if Stoker Bailey had been an American national. It is beside the point to say that this was a private fight.

This case rises from the principle of denial of justice. It is the principle of international law that holds a sovereign government responsible to failure to punish one of its nationals for wrongful acts to aliens under its jurisdiction.

We, above all, should show a zeal for upholding that principle. You may say that, under that principle, an alien may have more protection on our shores than one of our own citizens. And so it may be.

But the principle works two ways. We want our nationals in many cases to have more protection of the law abroad than is vouchsafed the natives. Regardless how a foreign tyrant may deny justice to his own people, we want him held responsible for protecting Americans who may come within the reach of his power.

If we want it to apply one way, we have to allow it to apply the other way also.

It is in our own substantial interest to pay the Bailey claim.

Even if it were not, we should still allow it. For to deny it would be incompatible with the dignity of our Nation.

I repeat that the wrongful act occurred a decade ago. We have been overlong in making an award. The House should pass the bill without further question.

Mr. JUDD. Mr. Chairman, I yield myself 8 minutes.

Mr. SCRIVNER. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from Kansas.

Mr. SCRIVNER. Are any copies of the hearings on this bill available?

Mr. JUDD. I shall have to ask the Clerk whether the hearings were printed. We held hearings on it, but I do not know whether they were printed. He indicates they were not. They are available in the committee room.

Mr. Chairman, a few weeks ago we debated a bill to provide payment to Switzerland for damages which were inflicted on certain cities and people in Switzerland by American planes. It became apparent from that debate that many of the Members believe that international claims are something on which the United States does all the paying and none of the receiving. Two Members have raised the question with me here today: "Why are we always giving out and never getting anything back in these affairs?"

I have here some information on that which I think will be of interest from the

standpoint of the bill as a whole, before we get into the specific controversial case which the gentleman from Tennessee has brought up—and understandably controversial—the Bailey case.

Mr. Chairman, I suppose the basic reason why we are unaware of how much the United States receives in claims is because of the fact they are not handled by the Congress, whereas all those made by the United States to other countries have to be made by act of Congress. Therefore, the only ones that came to our attention are those we pay out. Naturally we get the impression that this international claims business is a one-way street—Uncle Sam always giving.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. AUGUST H. ANDRESEN. The last time I heard of the United States getting anything is when the *Panay* was sunk by the Japs and they paid something like \$20,000 for the damage done.

Mr. JUDD. I think it was something over a million dollars, but I do not recall the exact figures.

Mr. AUGUST H. ANDRESEN. That is the last time I ever heard of us getting anything.

Mr. JUDD. That illustrates my point. There are two types of claims—war claims and nonwar claims. These are nonwar claims. Under our laws the Department of Defense can pay claims growing out of operations during war. But a nonwar claim from an alien has to come to Congress just like a bill for the relief of a private citizen, who has a claim against the Government. That requires an act of Congress, or did until the passage of the Reorganization Act in 1946.

Actually our record on the payment of international claims is one of comparative remissness, due principally perhaps to the very fact that they do require congressional action and they are frequently pushed aside by other legislation. For example, consider the time lag in these claims. One of them arises out of an incident which occurred over 10 years ago. In another case, 4 years ago; in a third case, 5 years ago; and in the fourth case, 4 years ago. Some of us on the committee were interested in the circumstances of the claims settlements in which American nationals were the ones receiving redress. Because three of these claims apply to Great Britain or its nationals, it is interesting to see what our record has been in comparison with Great Britain's.

In England the executive has the power to make such settlements without the action of Parliament. Here are some instances of how the British have treated the United States on claims presented in behalf of our private citizens. There have been many such in the last century and a half. Great Britain, on many occasions, has made immediate restitution for wrongs done to American nationals, without even waiting for the presentation of the claim.

Let me cite some examples. On December 28, 1914, some Canadian border guards challenged some American duck

hunters on the international waters between the United States and Canada. We, in Minnesota, have plenty of duck hunters in those waters each year. The guards jumped the gun, fired precipitantly and killed two American hunters. Ten days later the British Government, without being prompted, by formal presentation of a claim, announced that they would pay \$15,000 to the surviving relatives. On February 13, less than 2 months later, they announced completion of the payment.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. AUGUST H. ANDRESEN. That was the Canadian Government, was it not?

Mr. JUDD. At that time it was not independent, as I recall, and was still under the English crown.

Mr. HESELTON. Mr. Chairman, will the gentleman yield for a question?

Mr. JUDD. I yield.

Mr. HESELTON. Those guards, however, were on official duty.

Mr. JUDD. Yes; but there are some cases in which those responsible for the damage were not on official duty.

On March 20, 1915, an American aboard a boat in Bermuda waters was fired on by a British sentry, who believed that he was entering a prohibited area. The American was injured. On April 19, 1 month later, the British announced that they would make restitution, although the United States had not even presented a claim in behalf of the American.

On July 7, about 6 weeks later, the British Government paid the American \$26,000, and he had not been killed—just injured.

Mr. SCRIVNER. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. SCRIVNER. Those cases are perfectly satisfactory as precedents when you are talking about the killing of these seamen over in China waters, but the gentleman has not yet cited a case where two people, one an American national, and another a national of a foreign country, got in a fight and the other country paid us.

Mr. JUDD. Well, I will read you a couple of those, if you want them.

Mr. SCRIVNER. I would like to have you do so.

Mr. JUDD. Here is such a case in which we have paid. In Oklahoma, in 1931, two Mexican students, Gomez and Rubio, were fatally shot by a police officer. The officer was tried. He was acquitted. Yet by an act approved February 25, 1933, the Congress appropriated \$30,000 for payment to the families of these two men.

The American police officer in Oklahoma was acquitted, but it became clear that there had been a miscarriage of justice, and the United States Congress assumed the responsibility and paid the claim.

Here is another example: On March 14, 1891, 11 individuals of Italian origin were killed by a mob in New Orleans. On May 5, 1891, the grand jury made a report excusing those who participated in the attack. No one was indicted. No

one was tried. No one was punished. But Congress authorized and appropriated approximately \$25,000 to pay an indemnity of 125,000 francs. In tendering this to the Italian Minister in Washington Secretary Blaine observed that while the injury was not inflicted directly by the United States, "the President nevertheless feels that it is the solemn duty of the United States Government to pay a satisfactory indemnity."

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. KEEFE. The gentleman is reading from a memorandum. I would like to know whether the memorandum he is reading from is a confidential report to Hon. A. A. Rubicoff, from Mr. C. B. Marshall.

Mr. JUDD. Yes; that is the one I am now reading from.

Mr. KEEFE. On the literature of the Foreign Affairs Committee?

Mr. JUDD. Yes.

Mr. KEEFE. I assume I can refer to that without violating any rules of confidence?

Mr. JUDD. Certainly you can, because the staff of the committee prepared this data. We expected this question to be brought up, and we asked our staff to assemble the precedents, where we had been on the receiving end as well as where we had been on the giving end.

Mr. KEEFE. It is marked "confidential."

Mr. JUDD. It was marked "confidential" by Mr. Marshall when he prepared it because it had not at that time been presented to the committee.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. JUDD. I yield myself three additional minutes, Mr. Chairman.

Mr. SMATHERS. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. SMATHERS. As a matter of fact, I gave that to the gentleman from Wisconsin [Mr. KEEFE] without any restrictions on its use whatsoever.

Mr. JUDD. Yes, I am sure it is normal that material prepared by a staff member is confidential until it is released or used by one of the members of the committee.

Let me summarize this matter of non-war claims. Since World War I we have received \$94,336,000 in claim settlements, exclusive of war claims. The figure includes the Mexican claims settlement, on which Mexico is still paying annual installments. In the same period during which we received \$94,000,000 we have paid out \$13,650,000. That includes \$13,000,000 for claims involving shipping seizures, which might technically be considered war claims. In terms of the narrowest technical basis, we have received in a 30-year period \$94,000,000 and have paid out \$650,000 in nonwar claims. That is a ratio of 145 to 1.

Even if you count in the \$13,000,000 paid by us to Norway for shipping claims, which could be considered war-claims settlement growing out of World War I, the balance is more than 7 to 1 in favor of the United States.

So I do not believe the charge can be made, in debating this bill, that the

United States is being "Uncle Sap," or being overgenerous, or being taken for a ride. The bill is justified as a matter of international law and there are ample international precedents.

Consider the three possibilities for handling such a claim. First, the damaged person could bring his claim directly, but even though that is legally possible, how many have the financial resources to bring a claim against the United States?

The second course would be to have an international tribunal arbitrate the matter between the two governments. But surely the United States does not want to go to the expense and the time-consuming process of setting up an arbitration tribunal to handle claims of this size, as was done in the cases where we had large claims against Mexico and Panama.

The only other way that followed in this bill. When the evidence indicates there has been a miscarriage of justice or a denial of justice, the Congress should follow the recommendation of its own departments and pass the bill to grant the claims as a matter of justice and of dignity.

Mr. BECKWORTH. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. BECKWORTH. The gentleman refers to the amounts of money which our Government obtained from other governments. Would you mind commenting on whether or not that money remained in the coffers of our Treasury, or did it go to individual businesses and people?

Mr. JUDD. These claims, such as I have been reciting, all went to the individuals who had been injured or damaged or to the relatives of those killed. My point is that American citizens abroad have received more from governments where they suffered damages than citizens of other countries have received from us for damages received at the hands of American citizens, either on duty or in private capacity.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. KEEFE. The gentleman has referred to this large number of claims which have been settled with American citizens. The gentleman has read from this memorandum submitted to the Committee on Foreign Affairs. He did not, however, read the language of this memorandum which states:

The instances I have cited were involved in juridical settlements.

Mr. JUDD. That is right.

Mr. KEEFE—

They are different in that respect from the Bailey case.

Mr. JUDD. That is right.

Mr. KEEFE—

The latter has not been adjudicated by any international tribunal.

Mr. JUDD. I have just discussed that, I may say to the gentleman. We could have handled the cases in this bill by international tribunals. But what would be the reason for going to all that trouble and expense when we already admit the



claims are just, and when the amounts involved are so small? I have already given instances of where on the application of a government whose national had been injured by an American who was not properly punished, the United States paid the claim without its being adjudicated by an international tribunal.

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. JUDD. Mr. Chairman, I yield myself two additional minutes.

Mr. KEEFE. It would seem to me that the gentleman ought to refer to the authorities cited in this opinion, especially the authority cited by Mr. Green Hackworth, which is listed as an authority for this case. I submit that if the gentleman reads it he will come to the conclusion that it is an authority for the denial of this claim rather than an authority for granting it; because, under the facts which the gentleman has given, the shore patrol picked up this man; he was summarily tried by a court martial, and this ended the legal aspects of the case; he could not be tried again.

Mr. JUDD. That is correct; he could not be tried again. But that does not relieve us of responsibility if the man was unjustly acquitted.

Mr. KEEFE. This Government did everything it could do to prosecute this individual, and he was found not guilty. Under those circumstances, we are asked to go behind that court-martial finding. I wish to ask the gentleman: Had that court martial found this sailor guilty would there be any basis for such claim here?

Mr. JUDD. I believe so.

Mr. KEEFE. Under the authorities here would there be any basis for such claim at all?

Mr. JUDD. I think there would be.

Mr. KEEFE. Then the gentleman is in complete disagreement with the authority he has cited to this House; and I will take the time to explain it if I can get it.

Mr. JUDD. May I strike out what I said. I did not get the purport of the gentleman's question. He is right, because the principle here is that justice had not been done. If justice had been done by conviction and punishment the claim would not be valid. But the Navy admits that there was a miscarriage of justice in this case. The bill came before us because the Navy reviewing authority found that justice had not been done, and it initiated action with the Department of State to permit payment of the claim. The Department of State approved and sent it up here to have us clear this blot from the record of justice of the United States.

Mr. HALE. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. HALE. As I read this bill it contemplates a cash payment by our Treasury to His Majesty's Government; is that correct?

Mr. JUDD. Yes; it is a claim of the British Government, but it is on behalf of John Bailey; the money is to go to him.

Mr. HALE. Of course. But why, when there is indebtedness, to put it

mildly, a very substantial indebtedness on the part of His Majesty's Government to the United States, why should not His Majesty's Government take care of His Majesty's subjects, and the thing be handled as an open account, a credit?

Mr. JUDD. I suppose there would be considerable difficulty in getting lend-lease, the British loan, or the ECA mixed up in a private claim. The gentleman doubtless has equity on his side, and he is an eminent lawyer. I do not know whether the technique of payment he suggests is feasible or not.

Mr. HALE. The British Government can certainly take care of its own subjects.

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. KEE. Mr. Chairman, I yield myself 2 minutes.

The CHAIRMAN. The gentleman from West Virginia is recognized.

Mr. KEE. Mr. Chairman, four claims are presented by the pending bill, three through the Ambassador and foreign representative of the British Government for British nationals, and one coming through diplomatic channels from the Norwegian Government. The claims, altogether amount to the sum of twenty-three thousand three hundred thirty-four dollars and some cents.

The claim of Stoker Bailey, which has been very much discussed here, is the only controversial section of this bill. As a matter of fact, the circumstance that the man who injured Bailey was not convicted of an assault or of an offense has nothing whatever to do with the civil liability of any person because of the injury Bailey received. In order to convict a man of assault with intent to kill or to do great bodily harm, it is necessary that the element of intent be shown. Before a court you must prove felonious intent and that the injury was inflicted maliciously. Whereas, in order to establish civil liability, there need not be any proof of intent nor proof of malice. You merely prove that the injury was caused by lack of ordinary care or because of negligence. Therefore the question of intent or malice or the non-conviction or conviction of the man responsible for the injury has nothing to do with it.

Mr. Chairman, this bill has been reported by the committee after due consideration, it should be passed and these claims paid.

Mr. EATON. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. KEEFE].

Mr. KEEFE. Mr. Chairman, this is an illustration of how sometimes a matter which involves only a few dollars raises a question that some of us want answered because of the establishment of a precedent. It is a rather strange thing to have brought before this committee a confidential memoranda written by some attorney for the State Department in an attempt to justify this particular Bailey claim.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Minnesota.

Mr. JUDD. Is the gentleman referring to the memorandum by C. B. Marshall?

Mr. KEEFE. I am referring to that memorandum.

Mr. JUDD. He is not an attorney for the State Department. He is one of the professional staff of the Committee on Foreign Affairs.

Mr. KEEFE. I am glad to know that.

Mr. JUDD. I said so once before.

Mr. KEEFE. I did not know that, but it does not make any difference who he is or what he is. He furnished the report and the report speaks for itself if anybody will read it. It is not subject to the garbled comment that has been made by distinguished members of the Committee on Foreign Affairs, in my humble opinion.

This is an attempt to fasten upon this Government by a very tortuous method of reasoning a liability that does not exist under any law, international or any other law, and I defy anybody to point to anything in this opinion to refute that statement.

He cites three authorities. Let me read one of them. He quotes from the 1895 edition of a work on international law:

It would be unfair to put upon the state the burden of the consequences of acts which it never incited or permitted, but it is, nevertheless responsible for the acts of its nationals in this way, that it must not, even by taking no action, protect or favor injustice. Any connivance on its part is enough to make it personally responsible.

Then he points it out in this way:

If a nation should refuse or fail to pass the laws necessary to restrain its citizens from aggressions upon other states, or upon their citizens, or if, such laws being enacted, the officers of the state neglect to enforce them, the state is unquestionably responsible for the injury.

Here is the next one, quoting Hackworth:

The mere fact that an alien has suffered at the hands of private persons an aggression, which could have been averted by the presence of a sufficient police force on the spot, does not make a government liable for damages under international law. There must be shown special circumstances from which the responsibility of the authorities arises.

What is the attempt here to disclose special circumstances? The special circumstances that they disclose are that this man who assaulted Bailey was tried by a summary court martial and was acquitted. Now, the Navy Department comes back in response to the diplomatic question, when diplomacy is involved, and says that the summary court martial was a fraud; it was contrary to justice, and "although the Navy cannot go behind it, they can come to the Congress now, because that court martial did not convict the man who assaulted Bailey, and therefore we must pay Bailey."

Now, I have asked the question "Had that summary court martial convicted Bailey, would this claim be here? This opinion indicates that the answer should be no. There would not even be a claim here if he had been convicted and served even 10 days in the brig. But, because it is alleged that the court martial failed

to convict him, therefore the Government of the United States in some way has failed to protect this alien's rights. Now, there is no question but what the alien had a perfect right to sue the seaman who assaulted him.

Mr. JUDD. Mr. Chairman, I yield the gentleman one additional minute in order to read to the Committee the remainder of the quote from Mr. Hackworth. The gentleman asked about special circumstances, and Hackworth defines the special circumstances as follows:

Either their behavior in connection with the particular occurrence, or a general failure to comply with their duty to maintain order, to prevent crimes or to prosecute and punish criminals.

The last is the special circumstance in this case.

Mr. KEEFE. That is exactly what the Navy did. They prosecuted this fellow for his crime under the established law of the Navy. He was prosecuted in a summary court and he was acquitted. There must have been a lot of facts presented in that summary court martial that do not appear here. I think if the facts were really known it was probably a barroom brawl in the tavern and Bailey got his eye injured in the brawl. That is the way it looks to me. That is the way these things always happen. Now, my people are being asked 10 years later to pay this man, and I find nothing in the law that would justify it.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. JUDD. Mr. Chairman, I yield the gentleman one additional minute in order to comment on his statement. I just want to add to what the gentleman has said that the Navy itself recognized that justice had not been done, and on its own initiative suggested that justice be done by reimbursing this man for the loss of his eye and his livelihood. The gentleman will not deny that once in a while, in a summary court martial as in other courts, injustice is done, and this is the only way in this case to correct the inequity that has been done, because you cannot call a man in and put him in jeopardy a second time for the same offense. Surely the gentleman is in favor of the principle of rectifying an injustice when discovered, even though it was done in a regular procedure and without suggesting that anyone in the court martial acted improperly.

Mr. KEEFE. Who is there that can say there was an injustice except the reviewing officer who passed on it?

Mr. JUDD. I cannot and the gentleman cannot. But the reviewing officer can and he is the one who said there was an injustice.

Mr. KEEFE. He passed on it after it was an accomplished fact and he could not go back of that summary court. The gentleman knows that as well as I do.

Mr. MANSFIELD. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from Montana.

Mr. MANSFIELD. I should like to read from the hearings of the Seventy-seventh Congress the testimony by Commander Colclough, who at the present time is the Judge Advocate of the Navy.

Mr. JUDD. He was the reviewing officer.

Mr. MANSFIELD. Commander Colclough said:

However, the convening authority, who was the man's commanding officer, and ordered the court martial, and the Navy Department agree that his acquittal was a miscarriage of justice. The Navy Department has gone on record to that effect. There is nothing more that could be done. He was tried by a duly constituted court and acquitted on the charge of engaging in a fight and disturbing the peace.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from New York.

Mr. KEATING. Did the Committee on Foreign Affairs in their consideration of this have any of the evidence of the court martial before it?

Mr. JUDD. No, we did not go back of that court. How could we go back of that? We had to take the conclusions and the advice and the recommendations of the United States Navy which had reviewed all the evidence, including the testimony of the original convening authority. This bill is the result of the Navy's findings.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum as may be necessary to effect full and final settlement of the following claims against the United States:

(a) Claim of the Government of Great Britain in the sum of £750 (\$3,024.38) on behalf of John Bailey of His Majesty's ship *Orion* arising as a consequence of personal injuries inflicted upon him by John Ittner, United States Navy, at Seattle, Wash., on July 16, 1939;

(b) Claim of the Government of Great Britain in the sum of £3,000 (\$12,097.50) on behalf of the parents of the late J. D. Wiggins, of the British vessel *Sambre*, arising out of the death of the latter as a consequence of shots fired by John B. Coyne, United States Navy, an armed sentry aboard the United States ship *Carter Hall* at Shanghai, China, on November 23, 1945;

(c) Claim of the Government of Great Britain for reimbursement in the sum of £721.05 (\$2,907.52), representing the pro rata share of the United States of the sum paid to the Government of Spain by the Government of Great Britain, as a consequence of damages caused in the bombing of the Spanish vessel steamship *Christina* at Sete, France, in an attack by joint air forces of the United States and Great Britain, respectively, on June 25, 1944; and

(d) Claim of the Government of Norway in the sum of 19,650 patacas (\$5,354.63) on behalf of Trygve Jorgensen, arising out of personal injuries sustained when the ship *Masbate*, of which he was captain, was attacked in the harbor of Macao by United States military aircraft on February 25, 1945.

In all, \$23,384.03; together with such additional sums due to increases in rates of exchange as may be necessary to pay claims in the foreign currencies as specified in the claims.

Mr. KEE (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with and that the bill be open to amendment at any point.

Mr. JENNINGS. I object, Mr. Chairman.

The Clerk concluded the reading of the bill.

Mr. JENNINGS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JENNINGS: On page 1, strike out lines 8 to 12, inclusive.

Mr. JENNINGS. Mr. Chairman, this amendment does not propose to eliminate this provision of the bill. I cannot in good conscience vote for the \$12,097.50 in the bill, and I do not believe you can or will if you get the facts.

I have served on the Committee on Claims in this House for more than 9 years, and I believe I have handled bills for perhaps a majority of the Members of this House. I always go just as far as I can under the law, in equity, and in good conscience upon the facts in favor of a meritorious claim. The other day I reported on a bill for the benefit of the estate of a United States sailor. His name was Barnett. He was in uniform. He went ashore in the Philippines with \$50 of his pay in his pocket. He was assaulted and killed by three colored men who were in the uniform of the United States Army. It was a private brawl. I could not, in good conscience, favorably report that bill.

Here is a claim that is 10 years old, where two British sailors are ashore in Seattle and attach themselves to two girls. The girls may have been as pure as the driven snow, but they were easy to get acquainted with. One gave the name of "Norma," and the other said she was "Rose." At any rate, this English sailor ran into this American sailor and they evidently had some trouble over the girls. It is always dangerous, from my reading of history and from my observation of mankind, for a man on foreign soil to undertake to tread the primrose path of dalliance with a lady too easy to get acquainted with. This is the first time in the history of this country that the national of any foreign country has asked this country to pay him an indemnity when he goes on an expedition of that kind, loses an eye, or anything else. This is a dangerous precedent. They do not bring any evidence here to substantiate this dubious claim.

I am English by descent and by sympathy. I have voted for the flood of dollars which has been poured into Great Britain. Let Britain use some of the money we are paying her daily to pay this man. But let us keep this \$3,000 here at home. This sum of \$3,000 represents at least 50 pretty good young steers, and I do not know how many dozens of eggs or how many pounds of butter. Do not commence paying bills like this. You will set a premium on misconduct.

Mr. HESELTON. According to the interpretation made by the gentleman from Minnesota of this case, because there was an acquittal by a court martial, would this not be a precedent with reference to suits of foreigners in our civil courts where there was an adverse decision that this country should pay indemnity to foreigners?

Mr. JENNINGS. Yes. It might.



Mr. CHIPERFIELD. We defeated this bill several times in our committee.

Mr. JENNINGS. Mr. Chairman, here is a member of the Committee on Foreign Affairs, who recalls that this is a fly-specked bill that has been kicking around here for 10 years. Surely this House does not wish to say to sailors from all over the earth, if they come over here and get in a private brawl over a lady who is known only by her first name, they, if injured, can collect damages from Uncle Sam. The law should be, and I believe is, that a man assumes the risks incident to that kind of an expedition. He voluntarily enters on the quest and if the going gets rough, the decent people of this country should not have to respond to him in damages for anything that happens to him.

Mr. SMATHERS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the gentleman from Tennessee went to great lengths to condemn the Committee on Foreign Affairs claiming that we were inferring certain conclusions and doing so without proper evidence. And yet he has been quite facetious and I think most reckless in inferring that merely because a young man comes to this country and has a date with a woman that the woman is of easy virtue and not a proper person to go around with. I do not think the gentleman from Tennessee has any evidence to that effect. I do not think he could now or in the future possibly get any substantiation of his inference and charge. Certainly it is not right and it is not proper to stand here in the Congress of the United States and through innuendo and subtle hint suggest that just because a man comes here from a foreign country and has a date with some American girl that automatically that means that the woman is of easy virtue. The gentleman from Tennessee knows nothing of the women involved in this case, and it is not right therefore to question their characters.

We are not trying to establish any new procedures here. As a matter of fact, this procedure of a government paying and assisting an alien who has come into its territory and who has been grievously assaulted and injured by a citizen of that government, where there is no practical remedy for the alien and he cannot get any recovery or compensation, is an ancient and well-established principle and the Government considers that it is its proper responsibility.

I am going to read you some of the authorities that there are, on this point. These are the best known authorities on international law, and I want you to listen to what they have to say.

Here is an eminent authority, Mr. Bluntschi, speaking:

It would be unfair to put upon the state the burden of the consequences of acts which it never incited or permitted. But it is nevertheless responsible for the acts of its nationals in this way, that it must not, even by taking no action, protect or favor injustice. Any connivance on its part is enough to make it personally responsible.

Here is another eminent authority, Mr. Halleck:

If a nation should refuse or fail to pass the laws necessary to restrain its citizens

from aggressions upon other states or upon their citizens, or if, such laws being enacted, the officers of the state neglect to enforce them, the state is unquestionably responsible for the injury.

Let us look further here and see what has happened.

In 1894 an American citizen named Frank Lenz was murdered in Turkey. This Government sought redress from Turkey, and I quote the relevant instructions from our State Department to our envoys:

If the murderers had been duly punished, this Government would not have felt disposed to demand the payment of an indemnity. The evidence shows a deliberate, premeditated murder, yet the judgment was rendered against the murderers for "murder without premeditation." And even this penalty was not actually inflicted for the guilty parties escaped. It is hoped, in view of the enormity of the offense and the miscarriage of justice, that the Turkish Government will pay a reasonable indemnity.

Turkey did so. The parents of the murdered man received \$7,500 in redress of the wrong.

We had another case in Mexico, where some students of ours went down there and became embroiled in an altercation with some local people and they were killed. The Mexican Government appropriated \$30,000 to the families of the murdered boys.

There are several other instances which I shall not take the time to read. They have been pointed out to you by the gentleman from Minnesota [Dr. Judd].

Bailey had no other practical remedy in his case. It has been charged that he should have gone to the International Court of Claims for his remedy. Why? We had admitted our guilt. The Navy had admitted it. The State Department had admitted it. Why is it necessary to argue a claim when one side already admits it is guilty? The Government, from the Navy Department right on down, has admitted its guilt. The Navy Department has asked now that justice be invoked by giving this amount to Stoker Bailey. The precedent for so doing is well established.

By adopting this amendment we save the Government \$3,000. Our United States citizens have gotten on claims similar to this \$94,000,000. We have paid out on claims like this \$13,000,000. We are likely today to perform an act which will destroy a precedent which in the future has given our citizens and our Government protection in the past and will do so in the future; a precedent which has given us \$94,000,000 as against \$13,000,000, and here now we are about to destroy the precedent mainly because we do not seem to understand it.

The CHAIRMAN. The time of the gentleman from Florida [Mr. SMATHERS] has expired.

Mr. JUDD. Mr. Chairman, I move to strike out the last word in order to make one observation.

The gentleman from Wisconsin asked how it was that the Foreign Affairs Committee did not have the facts upon which the Navy's reviewing authority made the decision that there had been a miscarriage of justice. I have been here 7

years, and I have never yet seen any Government department or bureau admit voluntarily that it had made a mistake unless it really had done so. When the United States Navy says there had been a miscarriage of justice in its own court martial, is it reasonable to suppose that there had not been a miscarriage of justice?

We should vote down this amendment. To vote for it does not hurt Great Britain. It does hurt the United States. I do not want to be party to a disservice to my own country, and especially when to do that requires flying in the face of the findings of one of its own departments, which certainly would not be condemning itself if it were not guilty.

Mr. KEEFE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, there has been a lot of talk indulged in by members of the Foreign Affairs Committee. I have in my hand the hearings on this bill. Here they are. Do you know what these hearings amount to? They are just a simple statement on the part of the chairman that "Here is the bill," and there is a little discussion among the members about it, and it finally winds up with a little statement by a Mr. Benedict M. English, assistant legal adviser for the International Claims Division, Department of State.

Mr. SMATHERS. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. In just a moment. The gentleman would not yield to me and I had to take this time to answer.

I have also been referred to the hearings before the Committee on Foreign Affairs of the Seventy-seventh Congress on this claim. That was handed to me as being the basis for this claim. You will recall that somebody read out of this on page 4 a statement of Commander Colclough, who, it was said, finally became the high cockalorum in the Judge Advocate's Division of the Navy and, therefore, it is presently authority. Now, listen to what this man said, and it is funny that the members of the Committee on Foreign Affairs did not read this to you:

The CHAIRMAN. And he was a British subject?

Commander COLCLOUGH. He was a British subject, a former stoker of His Majesty's ship *Orion*.

The American sailor was tried by one of our forms of courts martial, known as a summary court martial. He was acquitted and thus placed in jeopardy, so cannot be tried again.

However, the convening authority, who was the man's commanding officer, and ordered the court martial, and the Navy Department agree that his acquittal was a miscarriage of justice. The Navy Department has gone on record to that effect. There is nothing more that could be done. He was tried by a duly constituted court and acquitted on the charge of engaging in a fight and disturbing the peace.

The CHAIRMAN. Who has lost his eye?

Commander COLCLOUGH. It had to be removed; yes, sir.

The CHAIRMAN. Commander, notwithstanding the fact this American sailor was acquitted by court martial, the Navy Department feels today that some justice should be done to this British sailor and he should be given this \$3,000 that is provided for in this legislation; is that right?

Commander COLCLOUGH. That's right, sir. Mr. EBERHARTER. May I ask a question? The CHAIRMAN. Yes, Mr. EBERHARTER. Mr. EBERHARTER. This was an altercation in a cafe?

Commander COLCLOUGH. That is right, sir. Mr. EBERHARTER. Neither one of the participants were on duty in any respect?

Commander COLCLOUGH. No, sir.

Mr. EBERHARTER. It was a private and personal matter between them?

Commander COLCLOUGH. Yes, sir.

Mr. EBERHARTER. And the governments of neither nation were involved in any respect whatsoever?

Commander COLCLOUGH. No, sir. Except insofar as the amenities that are due a visiting ship.

Mr. EBERHARTER. Has it been the practice of the Navy Department to pay indemnities where sailors were not on duty?

Commander COLCLOUGH. I know of no precedent that would allow me to say it was the policy.

They did not tell you that. There is this great authority that they have cited who testified in those hearings a year ago on this very same claim.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I do not yield; the gentleman from Minnesota had plenty of time.

I yield to the gentleman from New York.

Mr. KEATING. Time and again the Navy Department, when American citizens were involved, have told us that we must not pay, that we should not pay, that we cannot pay claims of that kind.

Mr. KEEFE. This, it seems to me, is a case that has been kicking around up in the Committee on Foreign Affairs for over 10 years, ever since it happened, in 1939. It is being brought out here; I do not know why, and we are being asked to pay 750 pounds, or so much in dollars. I do not know why they cannot take it out of that frozen fund money under the Marshall plan and pay this amount if we are so anxious to look after the affairs of the American taxpayers. Why do you not take it out of that fund and pay this man if this is such a clear case? I cannot in good conscience under these circumstances vote to establish a precedent to put upon the people whom I represent a tax to pay a claim of this kind arising under these circumstances.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

The question is on the amendment offered by the gentleman from Tennessee.

The question was taken; and on a division (demanded by Mr. KEE) there were—ayes 74, noes 37.

So the amendment was agreed to.

Mr. HALE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HALE: On page 1, lines 4 and 5, strike out "pay out of any money in the Treasury not otherwise appropriated" and insert "credit upon any indebtedness due to the United States by the claimant governments."

Mr. KEE. Mr. Chairman, I make the point of order that the amendment is not germane to the purposes and intent of the bill.

The CHAIRMAN. Does the gentleman from Maine [Mr. HALE] desire to be heard?

Mr. HALE. Mr. Chairman, I do not know anything that would be more germane to the bill and I submit I have made a perfect argument.

The CHAIRMAN. The point of order is overruled.

Mr. HALE. Mr. Chairman, I propose this amendment in the most serious way. I think no Member of this House has had so consistent a record as I in voting money for the relief of foreign governments under the Marshall plan, under all sorts of plans, for the rehabilitation of the European economy. I want to be extremely generous to His Majesty's Government in the future. I do not even have any invincible objection to paying His Majesty's Government for this claim which grows out of a private brawl in Seattle.

It does seem to me that no cash should be paid out of the Treasury of the United States when such large sums of money are owed to the Treasury of the United States by the foreign governments in question. There is no question of foreign exchange involved here. His Majesty's Government can certainly pay the claim of Stoker Bailey and I presume the Norwegian Government can take care of the claim of its national. It seems to me this matter should be handled as a bookkeeping transaction only.

Mr. KEE. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Maine [Mr. HALE].

Mr. Chairman, so far as the argument of the gentleman from Maine is concerned, this bill only deals with one claim. He did not discuss the fact that there are three other claimants included in the pending legislation in addition to the claim of John Bailey. Therefore the gentleman's amendment would affect and destroy the bill insofar as its provisions as to the other claims are concerned.

In any event, Mr. Chairman, the amendment, if adopted, would destroy the bill and would certainly destroy the efforts our State Department and our Government are making to give fair and honest treatment to and to deal justly and honestly with other governments of the world in the matter of just claims.

I have the honest conviction that an amendment like this is so ridiculous on its face that it should be denied all consideration.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maine [Mr. HALE].

The question was taken; and the Chair being in doubt, the Committee divided, and there were—ayes 53, noes 41.

Mr. KEE. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. KEE and Mr. HALE.

The Committee again divided; and the tellers reported that there were—ayes 72, noes 71.

The CHAIRMAN. The Chair votes "no," so the vote is a tie and the amendment is rejected.

Mr. JENNINGS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JENNINGS: On page 2, line 2, after "sum of", strike out "\$3,000 (\$12,097.50)" and insert in lieu thereof "\$5,097.50."

Mr. JENNINGS. Mr. Chairman, this claim is warranted upon the facts, but the amount allowed to the family or to the parents of this deceased seaman of the British Navy is excessive in comparison with what the Congress has habitually allowed during the time I have been a Member for the last 9 years. In other words, as a rule, unless there are some special circumstances, we have allowed to our own nationals in the case of death claims only \$5,000. This last week the House passed a private bill for the relief of the heirs of a citizen in my district who was killed by a CCC truck, and allowed only \$4,185.

Here it is proposed to allow the parents of this British seaman \$12,097.50. There is no evidence that this man had any certain earning capacity. There is no evidence as to what he may have contributed to the support of his parents. It is admitted that the sentries who fired on the sampan on which he was had not been properly instructed or trained, but it was in wartime and there was no malicious intent on their part to kill him. We ought not to establish a precedent and allow the parents of a Britisher \$12,000 for the death of their son, when in many instances the other body has cut us down to \$3,000 for the death of a 21-year-old boy the son of American parents.

In addition to that the President has vetoed measures awarding a recovery by the Congress of the United States for sums much less than \$12,000. Five thousand dollars is ample and that is what we have been allowing in cases like this one. I think we ought to stay in line on that and not be more generous with foreigners than we are with our own people.

Mr. SMITH of Wisconsin. Mr. Chairman, may I inquire—does your amendment cut the amount \$7,000?

Mr. JENNINGS. It cuts it \$7,000, yes; and awards these Britishers \$5,000. Five thousand dollars in American money in Britain today is what I consider a great big recovery. That is what they are talking about now. They want American dollars. I am willing for them to have a recovery, but I am not willing for them to have more than we allow the fathers and mothers of Americans who are killed wrongfully, and for whose death the Government is liable.

Mr. JUDD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, everybody naturally is in sympathy with much of the argument that the gentleman from Tennessee made on this as one could be in sympathy with the arguments made on the previous amendment. But we ought to consider it in terms of the interest of the people of the United States. This will cut two ways. We have claims to collect as well as to pay. For instance: We collected \$150,000 in American dollars from Yugoslavia for the loss of five American boys. That is \$30,000 a man.

Mr. JENNINGS. That was a matter which might have led to war. Do you think a Britisher ought to get more



money from our taxpayers than our people get?

Mr. JUDD. I think he ought to get as much as we collect from foreign countries in similar cases.

Mr. JENNINGS. It is a deplorable thing that you are in that frame of mind.

Mr. JUDD. That is a matter of opinion. Consider also the case of two Mexicans who were killed by a police officer in Oklahoma. The Congress of the United States passed a bill appropriating \$30,000—that is, \$15,000 apiece—for the families of those two boys. And many other cases. There are ample precedents where we have both paid and received in excess of \$5,000. This bill does not establish a precedent; the amendment departs from the precedents. In my judgment, to cut the payment for this individual will hurt more Americans in the future than it will hurt foreigners, because lots more Americans will be going around the world in the future and subject to injury and damages than foreigners are likely to be at the hands of Americans. It seems to me we ought to consider also the dignity of the United States, in amendments like the last one. Especially when the sums are so small, it seems ungracious and unworthy for our country to be rubbing it in that certain other peoples are indebted to us. I am sorry they are in debt to us, from our standpoint, as well as their standpoint. But for us publicly to humiliate them by telling them to credit it on their debt to us, even if we are rich and powerful, seems to me to be rendering a graver disservice to our own country than to them.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. CASE of South Dakota. In the instant case, was there anything in the nature of aggravation such as there was in the Yugoslavian case? Or was this an accident? It seems to me there is a little difference in the circumstances of each case.

Mr. JUDD. This was not just an accident. Our Government admitted that our sentry had acted "without due cause or provocation or circumspection and with a recklessness which implied indifference to the consequences." The Navy Board of Investigation also found that the sentries aboard our ship, one of whom had shot this British subject, had not been "properly instructed, selected, trained, and supervised." It was not just an accident on the part of the American. It was a case of negligence on the part of those responsible for the training of this boy who, acting precipitantly and without any justification, killed the Englishman. It seems to me there are special and unusual circumstances justifying the claim.

Mr. CASE of South Dakota. Without the, let us say, malice, for the lack of a better word, or possible malice which might have precipitated the Yugoslavian shooting?

Mr. JUDD. There is no suggestion there was any malice.

Mr. CASE of South Dakota. There is some governmental responsibility in the Yugoslavia situation. It was a matter of governmental policy.

Mr. JUDD. Yes. And our Government admits there is Government re-

sponsibility in this case. There was negligence on the part of our Government in not properly training these sentries.

Mr. CASE of South Dakota. Not a matter of national policy. There was no national policy on the part of the United States that encouraged any sentries to shoot down any other person.

Mr. JUDD. No. I do not know that there was in the Yugoslav case, either. There is no suggestion that it was national policy for Oklahoma civil officers to be shooting down Mexicans, but one of our officers did shoot two Mexicans, and we paid their families \$15,000 each.

Mr. SMITH of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to my friend from Wisconsin.

Mr. SMITH of Wisconsin. Can my distinguished colleague justify the claim with the British pound at four-point something today? In other words, the exchange rate on the pound today most anywhere is much less than that. It seems to me there would be justification for cutting it somewhat.

Mr. JUDD. The official rate is a little over \$4. I agree with the gentleman that the black-market rate on the pound is much less, but I am sure you do not suggest that we put into laws passed by the Congress, black-market rates.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. KEATING. My question was along that line. Can the gentleman tell us whether, if this claim is left as it is, it will be paid by the transfer of dollars or by the purchase of pounds and the transfer of those pounds to the foreign government?

Mr. JUDD. I am not in a position to answer that definitely. That question did not come up, because this was reported out some time ago, and the pound was in better shape at that time. My judgment is that it would be paid in dollars, because the amount in dollars is mentioned in the bill, and that is the currency of the United States.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. JUDD] has expired.

Mr. STEFAN. Mr. Chairman, I ask that the gentleman's time be extended for 2 minutes in order to answer a question.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. STEFAN. May I ask the gentleman from Minnesota if it is not possible for the British to give us credit on lend-lease surplus to pay this claim. They are doing that in the matter of purchasing property in the United Kingdom. Has the gentleman given any thought to that?

Mr. JUDD. That was the issue that was involved in the amendment offered by the gentleman from Maine, which was just voted down.

Mr. STEFAN. Well, we are doing that right along with countries that owe us on lend-lease.

Mr. JUDD. I see no reason why our Government should not—in fact, I

think it ought to investigate the possibilities in that respect. I know that when we are purchasing property, for example, for our embassy staff or our ECA mission in England to live in, it is paid for by them out of moneys that they owe us.

Mr. STEFAN. They purchase it for us, or we purchase it, and they pay for it in pounds.

Mr. JUDD. That is right.

Mr. STEFAN. Whatever government we are dealing with. In that way we pay no actual American dollars, and that is the only way we can get anything back.

Mr. JUDD. As the gentleman knows, those arrangements were made when we agreed on final settlements on the lend-lease accounts. I do not know whether this claim could be blanketed in, ex post facto, or not.

Mr. STEFAN. Undoubtedly this bill will be passed. I suggest that the gentleman suggest to the State Department that when they make settlement they make some arrangement to take credit under lend-lease payments.

Mr. JUDD. I think the suggestion is good, and the State Department will be asked to explore the possibility of making payment in the way the gentleman has suggested.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. GROSS. Does not the gentleman think that the settlement in the Oklahoma cases was high?

Mr. JUDD. Apparently the United States Congress did not think so. It passed the bill to pay the amounts. There are half a dozen other claims of the same sort, ranging from \$7,500 up to \$15,000, that we have either paid or received. One from the British to an American who was injured in Bermuda, where the British paid \$26,000, and the man was not killed. They did not even wait for a claim to be filed.

I hope the amendment will be defeated.

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. SMATHERS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, here is a case very much in point, although the facts are reversed from the one we are now considering. It seems that a British sentry in 1915 fired on an American that he thought had gone into a prohibited area, and killed him. The British Government, even before we made any representation to them whatsoever, paid that man's family \$26,000.

In another case a Canadian border guard shot some American duck hunters in an international water zone. The British Government again without ever being prompted by the formal presentation of a claim paid \$15,000 in each death to the surviving relatives. As the gentleman from Minnesota has so ably pointed out, this amendment is a two-edged sword; if we start cutting here, saying that we are going to save money, actually we are going to cost our citizens who travel a good deal of protection and much money in the future.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. SMATHERS. I yield.

Mr. CASE of South Dakota. Might it not be that we would be saving money in the long run?

Mr. SMATHERS. If we had more people traveling to this country than there were of our own citizens going abroad that might be so, but the evidence indicates that it is not apt to be the case.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. JENNINGS].

The question was taken; and on a division (demanded by Mr. JENNINGS) there were—ayes 39, noes 66.

So the amendment was rejected.

Mr. HALE. Mr. Chairman, I move to strike out the last word. I do this for the purpose of asking the distinguished chairman of the Committee on Foreign Affairs with respect to the French seaport mentioned on page 2, line 13. The French seaport referred to is described as "Sete." Can the gentleman tell me where that seaport is?

Mr. KEE. I am not very familiar with the geography of that section of the world, but I understand it is on the shores of Mediterranean France.

Mr. HALE. I very respectfully suggest to the distinguished chairman of the Committee on Foreign Affairs that there is no such port as "Sete" on the French Mediterranean coast. There is a seaport on that coast, the well-known port of "Cette," lying near the mouth of the River Rhone. If I am correct about this, it is indicative of the want of thorough consideration, which it seems to me that the bill has received at the hands of the committee.

Mr. VURSELL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, there has been considerable speculation as to when this Congress ought to adjourn. After listening to the debate here and finding that it has taken us almost half a day to give away approximately \$23,000, may I facetiously say I am convinced that Congress has become impotent and that nothing much more can be expected of this Congress. I respectfully submit it is about time Congress should adjourn. The American people would be much better off if we did.

I am, however, against giving the \$23,000 listed in this bill. There has been too many billions given away already. Yes, if Congress would cut appropriations it has already approved 10 percent, and go home now, we would get a better reception from our people than if we wait until a later date.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. KARST, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 937) to authorize the Secretary of the Treasury to effect the payment of certain claims against the United States, pursuant to House Resolution 221, he reported the same back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The question was taken; and on a division (demanded by Mr. KEATING) there were—ayes 64, noes 68.

Mr. SMITH of Wisconsin. Mr. Speaker, I object to the vote on the ground a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that further consideration of this bill be dispensed with until tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. SMITH of Wisconsin. Mr. Speaker, I object.

The SPEAKER. Obviously a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—ayes 167, noes 143, not voting 122, as follows:

#### [Roll No. 125]

##### YEAS—167

Abernethy	Frazier	Monroney
Allen, Calif.	Gamble	Murray, Tenn.
Allen, Ill.	Gathings	Nelson
Allen, La.	Gavin	Nicholson
Andersen,	Gillette	Norblad
H. Carl	Golden	Norrell
Anderson, Calif.	Goodwin	O'Brien, Mich.
Andresen,	Gore	O'Hara, Minn.
August H.	Gossett	O'Konski
Andrews	Graham	Patten
Angell	Gross	Phillips, Calif.
Auchincloss	Hale	Potter
Barrett, Wyo.	Hall	Poulson
Bates, Mass.	Leonard W.	Preston
Beall	Harden	Rankin
Beckworth	Hare	Redden
Bennett, Mich.	Harris	Reed, Ill.
Bishop	Harvey	Reed, N. Y.
Boggs, Del.	Herter	Rees
Bonner	Heseltun	Rivers
Bosone	Hill	Rogers, Fla.
Bramblett	Hinshaw	Sanborn
Brehm	Hoffman, Ill.	Scott
Brooks	Hoffman, Mich.	Hugh D., Jr.
Brown, Ohio	Holmes	Scrivner
Bryson	Hope	Scudder
Burdick	Horan	Short
Carlyle	Hull	Simpson, Ill.
Case, S. Dak.	Jacobs	Simpson, Pa.
Chelf	James	Smith, Kans.
Chipherfield	Jenison	Smith, Ohio
Church	Jenkins	Smith, Va.
Cole, N. Y.	Jennings	Smith, Wis.
Colmer	Jensen	Stefan
Cooley	Johnson	Stockman
Cooper	Jonas	Sutton
Cotton	Kean	Tackett
Cox	Kearney	Talle
Crawford	Keating	Teague
Cunningham	Keefe	Tollerson
Curtis	Lanham	Towe
Dague	Larcade	Van Zandt
Davis, Ga.	LeCompte	Vursell
Davis, Tenn.	LeFevre	Werdell
Davis, Wis.	Leinke	Wheeler
Denton	Lovre	Whitten
D'Ewart	Lucas	Whittington
Dolliver	McCulloch	Wigglesworth
Doughton	McDonough	Williams
Ellsworth	McKinnon	Wilson, Tex.
Engel, Mich.	Macy	Winstead
Engle, Calif.	Martin, Iowa	Withrow
Evins	Martin, Mass.	Wolcott
Fellows	Mason	Wolverton
Fenton	Meyer	Wood
Fisher	Michener	Woodruff
Ford	Mills	Young

##### NAYS—143

Albert	Breen	Davenport
Aspinall	Brown, Ga.	Dawson
Bailey	Buchanan	Deane
Barden	Buckley, Ill.	DeGraffenried
Baring	Burleson	Douglas
Bates, Ky.	Camp	Doyle
Battle	Cannon	Durham
Bennett, Fla.	Carnahan	Eaton
Bentsen	Carroll	Eberharter
Blemiller	Case, N. J.	Elliot
Boggs, La.	Chesney	Fallon
Bolling	Combs	Felghan
Bolton, Md.	Crook	Fernandez
Bolton, Ohio	Crosser	Flood

Forand	McCormack	Regan
Fugate	McGuire	Rhodes
Gordon	McMillan, S. C.	Rodino
Gorski, Ill.	McSweeney	Rogers, Mass.
Granger	Mack, Ill.	Rooney
Grant	Madden	Sabath
Hagen	Magee	Secrest
Hardy	Mahon	Sikes
Hart	Mansfield	Sims
Hays, Ohio	Marsalis	Smathers
Hedrick	Marshall	Spence
Herlong	Miles	Staggers
Hobbs	Morgan	Stanley
Holfield	Morris	Steed
Howell	Moulder	Sullivan
Huber	Multer	Thomas, Tex.
Jackson, Calif.	Murdock	Thompson
Jones, Ala.	Noland	Thornberry
Jones, Mo.	Norton	Trimble
Jones, N. C.	O'Brien, Ill.	Underwood
Judd	O'Hara, Ill.	Vinson
Karst	O'Neill	Wagner
Karsten	O'Sullivan	Walter
Kee	Pace	Welch, Mo.
Kerr	Passman	White, Calif.
King	Patman	White, Idaho
Kirwan	Perkins	Wickersham
Kruse	Peterson	Wier
Lesinski	Poage	Willis
Lind	Polk	Wilson, Okla.
Linehan	Price	Worley
Lyle	Priest	Yates
Lynch	Rabaut	Zablocki
McCarthy	Ramsay	

##### NOT VOTING—122

Abbott	Gregory	Murray, Wis.
Addonizio	Gwinn	Nixon
Arends	Hall	O'Toole
Barrett, Pa.	Edwin Arthur	Patterson
Blackney	Halleck	Pfeifer
Bland	Hand	Joseph L.
Blatnik	Harrison	Pfeiffer
Boykin	Havener	William L.
Buckley, N. Y.	Hays, Ark.	Philbin
Bulwinkle	Hébert	Phillips, Tenn.
Burke	Heffernan	Pickett
Burnside	Heller	Plumley
Burton	Hoeven	Powell
Byrne, N. Y.	Irving	Quinn
Byrnes, Wis.	Jackson, Wash.	Rains
Canfield	Javits	Ribicoff
Cavalcante	Kearns	Rich
Celler	Kelley	Richards
Chatham	Kennedy	Riehlman
Christopher	Keogh	Roosevelt
Chudoff	Kilburn	Sadlak
Clemente	Kilday	Sadowski
Clevenger	Klein	St. George
Cole, Kans.	Kunkel	Sasser
Corbett	Lane	Scott, Hardie
Coudert	Latham	Shafer
Davies, N. Y.	Lichtenwalter	Sheppard
Delaney	Lodge	Stigler
Dingell	McConnell	Taber
Dollinger	McGrath	Tauriello
Dondero	McGregor	Taylor
Donohue	McMillen, Ill.	Thomas, N. J.
Elston	Mack, Wash.	Velde
Fogarty	Marcantonio	Vorys
Fulton	Marrow	Wadsworth
Furcolo	Miller, Calif.	Walsh
Garmatz	Miller, Md.	Welch
Gary	Miller, Nebr.	Welch, Calif.
Gilmer	Mitchell	Whitaker
Gorski, N. Y.	Morrison	Wilson, Ind.
Granahan	Morton	Woodhouse
Green	Murphy	

So the amendment was agreed to.

The Clerk announced the following pairs:

General pairs until further notice:

Mr. Roosevelt with Mr. Halleck.
Mr. Murphy with Mr. Arends.
Mr. Gilmer with Mr. Canfield.
Mr. Morrison with Mr. Hand.
Mrs. Woodhouse with Mr. Corbett.
Mr. Kelley with Mr. Elston.
Mr. Furcolo with Mr. Hoeven.
Mr. Garmatz with Mr. Kearns.
Mr. Pickett with Mr. Lichtenwalter.
Mr. Whitaker with Mr. McConnell.
Mr. Gary with Mr. McGregor.
Mr. Rains with Mr. Miller of Maryland.
Mr. Mitchell with Mr. William L. Pfeiffer.
Mr. Lane with Mr. Rich.
Mr. Donohue with Mr. Hardie Scott.
Mr. McGrath with Mrs. St. George.
Mr. Fogarty with Mr. Taber.
Mr. Tauriello with Mr. Vorys.
Mr. Gorski of New York with Mr. Clevenger.
Mr. Harrison with Mr. Miller of Nebraska.



Mr. Barrett of Pennsylvania with Mr. Welch.

Mr. Green with Mr. Taylor.  
Mr. Granahan with Mr. Morton.  
Mr. Stigler with Mr. Gwinn.

Mr. Kilday with Mr. Coudert.  
Mr. Jackson of Washington with Mr. Blackney.

Mr. Hays of Arkansas with Mr. McMillen of Illinois.

Mr. Richards with Mr. Nixon.  
Mr. Ribicoff with Mr. Plumley.  
Mr. Sadowski with Mr. Riehlman.  
Mr. Davies of New York with Mr. Sadlak.  
Mr. Miller of California with Mr. Shafer.

Mr. Sasscer with Mr. Velde.  
Mr. Chudoff with Mr. Wadsworth.  
Mr. Chatham with Mr. Edwin Arthur Hall.

Mr. Byrne of New York with Mr. Fulton.  
Mr. Addonizio with Mr. Dondero.  
Mr. Cavalcante with Mr. Cole of Kansas.

Mr. Gregory with Mr. Latham.  
Mr. Philbin with Mr. Merrow.  
Mr. Walsh with Mr. Mack of Washington.

Mr. Burton with Mr. Patterson.  
Mr. Abbt with Mr. Welch of California.  
Mr. Irving with Mr. Wilson of Indiana.

Mr. Sheppard with Mr. Byrnes of Wisconsin.

Mr. Hébert with Mr. Phillips of Tennessee.

Mr. FEIGHAN, Mr. CANNON, and Mr. WHITE of Idaho changed their vote from "aye" to "no."

Mr. BROWN of Ohio changed his vote from "no" to "aye."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. HALE. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. HALE. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HALE moves to recommit the bill to the Committee on Foreign Affairs.

Mr. KEE. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

#### SPECIAL ORDER GRANTED

Mr. CRAWFORD asked and was given permission to address the House on Wednesday next for 5 minutes after disposition of matters on the Speaker's desk and at the conclusion of any special orders heretofore entered.

#### EXTENSION OF REMARKS

Mr. POTTER asked and was given permission to extend his remarks in the Appendix of the Record.

Mr. KEATING asked and was given permission to extend his remarks in the Appendix of the Record.

Mr. STOCKMAN asked and was given permission to extend his remarks in the Record and include an article.

Mr. SIMPSON of Illinois asked and was given permission to extend his remarks in the Record and include an article.

Mr. CHESNEY asked and was given permission to extend his remarks in the Record and include a newspaper article.

Mr. LYNCH (at the request of Mr. PRIEST) was given permission to extend his remarks in the Record and include a radio address.

Mr. BOYKIN (at the request of Mr. HARE) was given permission to extend his remarks in the Appendix of the Record.

#### DISTRICT COURT FOR THE TERRITORY OF ALASKA

Mr. BRYSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Concurrent Resolution 53.

The Clerk read the Senate Concurrent Resolution, as follows:

*Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate be, and he is hereby, authorized and directed, in the enrollment of the bill (S. 70) to make effective in the District Court for the Territory of Alaska rules promulgated by the Supreme Court of the United States governing pleading, practice, and procedure in the district courts of the United States, to make the following change, namely: In lieu of the language inserted by the House engrossed amendment, insert the following:*

"Sec. 2. The first paragraph of section 2072 of title 28, United States Code, is amended to read as follows:

"The Supreme Court shall have the power to prescribe, by general rules, the forms of process, writs, pleadings, and motions, and the practice and procedure of the district courts of the United States and of the District Court for the Territory of Alaska in civil actions."

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I understand that this matter has the consent of the ranking minority Member?

Mr. BRYSON. Yes, and there is no controversy.

Mr. MARTIN of Massachusetts. I withdraw my reservation of objection, Mr. Speaker.

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. McCULLOCH (at the request of Mr. McCULLOCH), indefinitely, on account of illness.

#### ENROLLED BILLS SIGNED

Mrs. NORTON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 623. An act for the relief of Sadako Takagi; and

H. R. 3127. An act to authorize the admission into the United States of Jacob Gross, a minor.

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 1042. An act relating to the payment of fees, expenses, and costs of jurors; and

S. 1070. An act to establish a national housing objective and the policy to be followed in the attainment thereof, to provide

Federal aid to assist slum-clearance projects and low-rent public housing projects initiated by local agencies, to provide for financial assistance by the Secretary of Agriculture for farm housing, and for other purposes.

#### ADJOURNMENT

Mr. MANSFIELD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 56 minutes p. m.) the House adjourned until tomorrow, Tuesday, July 12, 1949, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

750. A letter from the president, Chamber of Deputies, Santiago, Chile, transmitting a message extending their most cordial congratulations to the great friendly Nation of the United States upon the occasion of her glorious anniversary, Independence Day, July 4; to the Committee on Foreign Affairs.

751. A letter from the Secretary of Defense, transmitting a letter by the Acting Secretary of the Navy recommending the enactment of a proposed draft of legislation entitled "To amend section 302 of the Servicemen's Readjustment Act of 1944, as amended"; to the Committee on Veterans' Affairs.

752. A letter from the Acting Administrator, Federal Security Agency, transmitting a legislative proposal entitled "To assure the provision of all necessary services to prepare disabled persons for and establish them in remunerative employment, to provide for grants-in-aid to the States for adjustment training services for the blind, and for establishing employment opportunities for the severely disabled, to amend the Vocational Rehabilitation Act, as amended (U. S. C., 1946 ed., title 29, ch. 4), to amend the Randolph-Sheppard Act (U. S. C., 1946 ed., title 20, ch. 6A), and for other purposes"; to the Committee on Education and Labor.

753. A letter from the Acting Secretary of the Navy, transmitting a request by the Game and Inland Fish Commission of the State of Maryland for the transfer of an aluminum pontoon barge to be used by that commission in wild waterfowl restoration work along the Potomac River; to the Committee on Armed Services.

754. A letter from the Acting Secretary of the Interior, transmitting a copy of a volume of the 1949 Regular Session Laws of Puerto Rico, containing the acts of the Seventeenth Legislature of Puerto Rico, February 14 to April 15, 1949; to the Committee on Public Lands.

755. A letter from the Comptroller General of the United States, transmitting a report on the audit of Federal Savings and Loan Insurance Corporation for the fiscal year ended June 30, 1948 (H. Doc. No. 251); to the Committee on Expenditures in the Executive Departments and ordered to be printed.

756. A letter from the Comptroller General of the United States, transmitting a special report on construction-differential subsidies and related national-defense allowances granted by the United States Maritime Commission; to the Committee on Expenditures in the Executive Departments.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COX: Committee on Rules. House Resolution 278. Resolution providing for the

consideration of the bill (H. R. 5187) to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs; without amendment (Rept. No. 1007). Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resolution 279. Resolution providing for the consideration of the bill (H. R. 940) to authorize public improvements in Alaska, and for other purposes; without amendment (Rept. No. 1008). Referred to the House Calendar.

Mr. SPENCE: Committee on Banking and Currency. H. R. 5533. A bill to amend the National Housing Act, as amended, and the Reconstruction Finance Corporation Act, as amended; with an amendment (Rept. No. 1009). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BATTLE:

H. R. 5567. A bill to provide for research in child life and for grants to States for maternal and child health and crippled children's services; to the Committee on Interstate and Foreign Commerce.

By Mr. CLEMENTE:

H. R. 5568. A bill to amend the Social Security Act, as amended, to provide lump-sum payments upon the death of certain individuals who are neither fully nor currently insured, and for other purposes; to the Committee on Ways and Means.

By Mr. DAVENPORT:

H. R. 5569. A bill to amend the Service-men's Readjustment Act of 1944 to extend the period during which readjustment allowances may be paid; to the Committee on Veterans' Affairs.

By Mr. DEWART:

H. R. 5570. A bill to promote the rehabilitation of the Chippewa Cree Tribe of Indians of the Rocky Boy's Reservation, Mont., and for other purposes; to the Committee on Public Lands.

By Mr. LESINSKI:

H. R. 5571. A bill to amend the act approved July 18, 1940 (54 Stat. 766; 24 U. S. C., 1946 ed., sec. 196b), entitled "An act relating to the admission to St. Elizabeths Hospital of persons resident or domiciled in the Virgin Islands of the United States," by enlarging the classes of persons admissible into St. Elizabeths Hospital and in other respects; to the Committee on Education and Labor.

By Mr. PETERSON:

H. R. 5572. A bill to liberalize pensions for certain veterans of the War with Spain, the Philippine Insurrection, and the China Relief Expedition; to the Committee on Veterans' Affairs.

H. R. 5573. A bill providing for a preliminary examination and survey for a barge channel from Tampa Bay to the vicinity of Booth Point, together with the necessary turning basin; to the Committee on Public Works.

By Mr. RANKIN (by request):

H. R. 5574. A bill to amend further the National Service Life Insurance Act of 1940, as amended; to the Committee on Veterans' Affairs.

By Mr. SASSER:

H. R. 5575. A bill to amend the act entitled "An act to authorize an increase of the number of cadets at the United States Military Academy and to provide for maintaining the corps of cadets at authorized strength," approved June 3, 1942 (56 Stat. 306); to the Committee on Armed Services.

H. R. 5576. A bill to increase the number of midshipmen allowed at the United States Naval Academy from the District of Columbia; to the Committee on Armed Services.

By Mr. LESINSKI:

H. R. 5577. A bill to assure the provision of all necessary services to prepare disabled persons for and establish them in remunerative employment, to provide for grants-in-aid to the States for adjustment training services for the blind, and for establishing employment opportunities for the severely disabled, to amend the Vocational Rehabilitation Act, as amended (U. S. C., 1946 ed., title 29, ch. 4), to amend the Randolph-Sheppard Act (U. S. C., 1946 ed., title 20, ch. 6A), and for other purposes; to the Committee on Education and Labor.

By Mr. HARRIS (by request):

H. R. 5578. A bill to amend the act entitled "An act to regulate boxing contests and exhibitions in the District of Columbia, and for other purposes," approved December 20, 1944; to the Committee on the District of Columbia.

By Mr. WERDEL:

H. J. Res. 296. Joint resolution to appoint a board of engineers to examine and report upon the proposed central Arizona project; to the Committee on Public Lands.

#### MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California relative to Senate Joint Resolutions Nos. 26, 30, and 35; (1) Requesting Congress to refuse passage of H. R. 2394, creating a Franklin Delano Roosevelt Memorial Redwood Forest; (2) relative to the Spanish-Mexican land-grant papers; (3) relative to accepting permit from the Government of the United States for the transfer of lands for the use of the Golden Gate Bridge and highway district; to the Committee on Agriculture.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND:

H. R. 5579. A bill conferring jurisdiction on the Court of Claims of the United States to hear, determine, and render judgment on the claims of G. T. Elliott, Inc., and M. F. Quinn; to the Committee on the Judiciary.

By Mrs. BOLTON of Ohio:

H. R. 5580. A bill for the relief of Mrs. Tsuneko Shimokawa Guenther; to the Committee on the Judiciary.

By Mr. CARROLL:

H. R. 5581. A bill for the relief of Deborah Elizabeth Ebel; to the Committee on the Judiciary.

By Mr. FALLON:

H. R. 5582. A bill for the relief of the Belle Isle Cab Co., Inc.; to the Committee on the Judiciary.

By Mr. HART:

H. R. 5583. A bill for the relief of Carlos Maria Ribeiro; to the Committee on the Judiciary.

By Mr. JENKINS:

H. R. 5584. A bill to require delivery and return of property of the estate of John F. Hackfeld, deceased, seized by the Alien Property Custodian, and to confirm the original restoration thereof by the President; to the Committee on the Judiciary.

H. R. 5585. A bill to repay income and estate taxes to the estate of John F. Hackfeld, deceased, erroneously collected on basis of American citizenship subsequently determined by Supreme Court not to have been acquired by taxpayer; to the Committee on the Judiciary.

By Mr. SANBORN:

H. R. 5586. A bill for the relief of Marco Murolo, and his wife, Romana Pellis Murolo; to the Committee on the Judiciary.

By Mr. SIMS:

H. R. 5587. A bill for the relief of Mrs. Lydia L. Smith; to the Committee on the Judiciary.

By Mr. WHITE of Idaho:

H. R. 5588. A bill for the relief of Peter W. Anderson; to the Committee on the Judiciary.

#### PETITIONS, ETC.

Under clause I of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1276. By Mr. JUDD: Petition of Mrs. Pearl St. John and others, Minneapolis, Minn., in support of the Bryson bill, H. R. 2428, and a Senate counterpart of that measure; to the Committee on Interstate and Foreign Commerce.

1277. By Mr. LYNCH: Petition of the Ancient Order of Hibernians of America urging amendment of article 4 of the Atlantic Pact; to the Committee on Foreign Affairs.

1278. By the SPEAKER: Petition of D. Ellsworth and others, Mentone, Ind., requesting passage of H. R. 2135 and H. R. 2136, known as the Townsend plan; to the Committee on Ways and Means.

1279. Also, petition of Mrs. J. H. Griggs and others, Sunbury, Pa., requesting passage of H. R. 2135 and H. R. 2136, known as the Townsend plan; to the Committee on Ways and Means.

1280. Also, petition of T. F. Woolley and others, Temple, Tex., requesting passage of H. R. 2135 and H. R. 2136, known as the Townsend plan; to the Committee on Ways and Means.

1281. Also, petition of Howard W. Elkins and others, Miami, Fla., requesting passage of H. R. 2135 and H. R. 2136, known as the Townsend plan; to the Committee on Ways and Means.

## SENATE

TUESDAY, JULY 12, 1949

(Legislative day of Thursday, June 2, 1949)

The Senate met, in executive session, at 12 o'clock meridian, on the expiration of the recess.

Rev. Bernard Braskamp, D. D., pastor of the Gunton-Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

O Thou who are the guiding intelligence in the life of men and nations, we pray that in our search for the right solution to our national and international problems we may daily direct our minds and hearts toward Thee from whom cometh our help.

We are confident that in our longings and efforts to find the blessedness of world peace Thou art not calling upon us to seek and accept peace at any price.

We believe, however, that we are divinely commissioned to strive for righteousness and justice, whatever the cost may be to achieve those noble ends.

Inspire us with the glory and splendor of an idealism which knows and proclaims that, "Tis man's perdition to be safe when for the truth he ought to die."

Hear us in Christ's name. Amen.

#### THE JOURNAL

On request of Mr. LUCAS, and by unanimous consent, the reading of the Journal of the proceedings of Monday, July 11, 1949, was dispensed with.